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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON
CIVIL ACTION NO. 84-2232

ROSALIE HAIGHT, JOHN HAIGHT; ANDREW J. GOODWIN; CHARLES FORBES and JUNE FORBES,

Plaintiffs,

vs.

THE AMERICAN TOBACCO CO., a division of American Brands, Inc.; BROWN & WILLIAMSON TOBACCO CORPORATION, LORILLARD DIVISION OF LOEWS THEATRES, INC.; PHILIP MORRIS, INCORPORATED; R. J. REYNOLDS INDUSTRIES, INC.; LIGGETT GROUP INC.; S.S.C.C. & B., INC; McCANN-ERICKSON, INC.; FOOTE, CONE & BELDING, INC.; LEO BURNETT U.S.A.; WELLS, RICH, GREENE, INC.; WILLIAM ESTY COMPANY, INC.; BATTEN, BARTON, DURSTINE & OSBORNE, INC.; THE BLOOM AGENCY; ANCHOR TOBACCO CO.; and HECK'S INC.,

Defendants.

Deposition of:
ANN HAIGHT SEITZ

TRANSCRIPT of testimony as taken by and before DIANE GLOCKNER, a Certified Shorthand Reporter and Notary Public of the State of New York, at the KB&T Building, 500 Virginia Avenue, Charleston, West Virginia, on Friday, January 3, 1986, commencing at 9:30 in the forenoon.

waga and spinelli
certified shorthand reporters

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I N D E X

WITNESS	DIRECT
ANN HAIGHT SEITZ	
Mr. T. D. Kauffelt	9

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A N N H A I G H T S E I T Z,
[DELETED]
testifies as follows:

DIRECT EXAMINATION BY MR. T. D. KAUFFELT:

Q. Mrs. Haight, we've had discussion off the record about what name you'd prefer and that your married name is Seitz and that you are using your maiden name as your professional name, and I'll address you that way. That was our understanding, I believe.

I'm here to ask you about the lawsuit that was instituted by your parents and others by the law firm of Preiser & Wilson. I'm with the firm of Kauffelt & Kauffelt as is James D. Kauffelt who is here, and we are representing American Brands as are Mr. Bezanson here and Mr. Riley, and there are other people here representing all of the other defendants. I won't introduce them unless you desire it be done. I believe your counsel is familiar with all of them.

I'm going to ask you questions about a number of subjects regarding this lawsuit especially as it relates to your mother. If you don't understand any of the questions I ask you, just ask me to rephrase them and I'll be happy to

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do so. If your attorney makes an objection to any of the questions that I ask you, please let your attorney put his objection on the record and then follow his instructions.

Please make all of your responses spoken rather than a nod of the head so that the court reporter can transcribe the matter, as I'm sure you are aware, and then the deposition can and may be used at the time of the trial.

If you don't understand the question, please ask me for an explanation or to rephrase the question. If you do provide an answer to the question, I will assume you have understood the question and are responding to it accurately. If you do not know the answer to the question, please state that you do not know. If you do not recall a particular fact, please state that you do not recall. If you give an answer, I will assume you're speaking from your personal knowledge and memory.

Now, we will take a break during the morning at some point half way through probably and then lunch break and a break maybe in the middle of the afternoon. But if you wish an additional break or want us to stop for a few

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minutes, if you'll just let us know.
A. Okay.
MR. T. D. KAUFFELT: I believe under the groundrules in the other depositions in this case we've reserved objections except as to form, and I assume, Mr. Farrell, that that will be the groundrule here.
MR. FARRELL, JR.: That's correct.
Q. Would you state your full name, please.
A. Ann Lindsey Haight Seitz.
Q. But Seitz is your married name?
A. That's correct.
Q. And as I stated earlier, you have agreed to use your maiden name at this time?
A. Right.
Q. Do you have any nicknames?
A. No. Well, I take that back. I have -- my father calls me by a nickname.
Q. Is it something you don't want to state?
A. Well, it was after Yogi Bear and Boo-Boo, the latter.
Q. Just a childhood nickname with your father?

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A. Not with anyone else.

Q. Yes. What name did you use in addressing your mother, Rosalie Haight?

A. Mom.

Q. Mom. And may I refer to her generally as your mother in taking this deposition?

A. Yes.

Q. What was your place and date of birth?

A. October 2, 1957, in Charleston, West Virginia.

Q. And you're the eldest daughter of Rosalie Haight and John Haight, the plaintiffs in this case?

A. Yes.

Q. You are American by nationality?

A. Yes.

Q. I'm going to ask you a few questions about your mother's estate. Did your mother leave a will?

A. No, she did not.

Q. But I believe you are the administratrix of the estate. Am I correct about that?

A. Yes, sir.

Q. Are you familiar that we had a

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deposition scheduled for your sister Pat earlier in the week but it was canceled?

A. Yes.

Q. Do you know why it was canceled?

A. My sister is having a difficult time dealing with my mother's death and with coming back to Charleston, and she is not prepared to come back to Charleston at this time to handle those difficulties she's having. It was not to avoid the purpose of the deposition. She's willing to do that. She just did not feel that she was able to come to Charleston and handle seeing the house again and other things connected with my mother's death.

Q. Does she agree with the fact that the lawsuit was brought by your parents?

A. As far as I know, yes.

Q. Have you had any discussion with Pat about the deposition?

A. To the extent that --

MR. FARRELL, JR.: I'm going to object to the form of the question in that I believe it's vague. Are you asking about Pat's deposition in this case?

MR. T. D. KAUFFELT: I'll rephrase

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that.

Q. Did you have any discussion with Pat about her reluctance to be deposed this week -- or last week? Excuse me.

A. Well, I had conversations with her about coming to Charleston and her reluctance to come to Charleston. She did not have a reluctance for the deposition.

Q. Now, were you involved in the consideration of whether this lawsuit should be brought?

A. No, I was not.

Q. Did you know it was going to be brought before it was brought?

A. I knew it was under discussion, and I couldn't tell you exactly when it was filed. I didn't know at the time. But I knew it was being discussed and that it was brought.

Q. Did you do any of the work, preliminary work involved in preparing for the lawsuit?

A. No, I did not.

Q. Did you from time to time discuss this lawsuit with your mother?

A. I think the only discussions we had was

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about the time that her deposition was being set and in during the deposition, in that phase of it, and I think maybe at other times when there may have been things that happened that I was aware of and that she was told about that we may have commented on, such as the removal of federal court and remand back and those things, but just in general terms.

Q. Did you ever discuss the suit with your father?

A. Maybe as to how it was going and what was going on with it in general. I never sat down and said what is going to happen; what is happening now. It was more, what's happening or something. It was never any specific details.

Q. Have you discussed the suit with your brother or sister?

A. The fact of the suit and some of the things that have been going on, but again, not -- I have not been aware of any, you know, the major details except as they involve my mother and her deposition, so that we have discussed it as to what the suit -- that the suit exists and generally what was going on involving my mother and her deposition but not, again, any great

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detail as to when something would happen or not be happening as in other depositions or anything of that. I'm not sure if I'm answering what you're asking.

Q. Yes. Were you aware that the other parties dropped out of the proceeding other than your parents?

A. Yes.

Q. Do you know why they did?

A. It was my understanding that Mr. Forbes --

MR. FARRELL, JR.: I'm going to object to that question in that I don't believe you laid a foundation if she has any knowledge of why or why not. If you can establish a foundation first.

Q. Did you have any conversation with the other parties to the suit before they dropped out?

A. No, I did not.

Q. Have you had any conversation with them after they dropped out?

A. No.

Q. Do you have any knowledge of why they decided not to participate further? Of course, Mr. Forbes died as we know.

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A. That was my only understanding as to him, was that he was deceased and they did not revive the suit. As to Mr. Goodwin, I don't know why he dropped out.

Q. In preparing for this deposition, did you review the transcripts of your mother's deposition?

A. No, I did not.

Q. You haven't read those at all?

A. No.

Q. Did you review any documents?

A. I checked a couple of dates on my calendars as to when my mom first found out about this and a few dates such as that. I looked at the complaint yesterday for the first time and that's it.

Q. Have you discussed the case in preparing for this deposition? Have you discussed the case or your mother's deposition with your father?

A. We had general conversations with Mr. Farrell yesterday, and I don't recall, really recall what all was discussed at that time.

Q. What is your current address?

A. [DELETED]

Q. And what type of residence is that?

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A. It's an apartment unit. It's similar to, I guess, a condo but it's a four-unit apartment building.

Q. And how many apartments are in the building?

A. Four.

Q. Do you own the apartment or rent?

A. We rent.

Q. You live there with your husband, I take it?

A. Yes.

Q. How long have you lived there?

A. Since right after the wedding when we came back from the honeymoon which was the middle of October.

Q. Had your husband lived there before?

A. Yes.

Q. Do you know how long?

A. I think two years. But I'm not sure. He's been there for quite awhile.

Q. Do you know the other people who have apartments in the building?

A. I know them to recognize them. I don't know anyone by name except for one of the neighbors on one side of that.

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Q. And what is that neighbor's name?
A. Tom Hadad lives there and he just got married and I really can't pronounce his wife's name, but they --
Q. Where did you live prior to that?
A. 6544 MacCorkle Avenue in Charleston.
Q. What type of building is that?
A. Apartment building.
Q. And you lived there alone. Is that correct?
A. That's correct.
Q. How long did you live there?
A. About a year and a half.
Q. How many apartments are there in that building?
A. I think ten on one side and it back faces onto another building. They have separate entrances, but I think there's three on each floor except on the top and it's four floors, but I'm not sure if it's 10 or 11 on each side.
Q. Were you personally acquainted with other individuals or families in the building?
A. With one.
Q. Who was that?
A. Roger Hamilton. He lived there before I

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moved in and is still there.

Q. He lived alone?

A. Yes.

Q. Where did you live before the MacCorkle Avenue apartment?

A. Before that on Bradford Street in the Ambassador Apartments.

Q. Are those apartments on Kanawha Boulevard and Bradford?

A. The ones on the boulevard are Edgewater, and there's a smaller building behind it called Ambassador.

Q. I see. How long did you live there?

A. About four or five months.

Q. And were you acquainted with other people in that building?

A. No, not at that time. I found out later one of our secretaries may have been living there for a month or so while I was, but I didn't know that at the time.

Q. What was her name?

A. Barbara Morgan.

Q. Is she still a secretary with your firm?

A. Yes.

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Q. While you were -- Where did you live after that?

MR. FARRELL, JR.: Could you repeat that question.

Q. And where did you live after the [DELETED] residence?

A. [DELETED]. Before [DELETED] I was at [DELETED].

Q. And how long did you live at [DELETED]?

A. For a year.

Q. Is that a fairly large apartment complex?

A. Yes.

Q. And did you know any of the people who lived in that apartment?

A. I met people there afterwards. Again, I don't remember names right now. And then overlapping, again, there was one other person that moved in that I knew of.

Q. Who was that?

A. Cathy McMullen.

Q. She still live there?

A. I believe so. I think she may be moving out soon but I don't know when. That's just what --

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Q. Was she a friend of yours or an acquaintance?
A. More of an acquaintance.
Q. Are you in contact with her from time to time?
A. She works for the Attorney General's office, so I see her from time to time.
Q. She is a lawyer also?
A. Yes.
Q. Now, before the Victorian Arms where did you live?
A. At home with my parents.
Q. And from what time to what time?
A. That would have been from May of '82 when I graduated from law school until January of '83.
Q. And why did you move?
A. I guess I reached the point that I could not live at home any longer. Just as an adult I wanted a place of my own.
Q. After you moved from your parents home, did you visit there from time to time?
A. Yes.
Q. How frequently?
A. At least once a week, probably two to three times a week.

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Q. Were there particular occasions for these visits?

A. Sometimes I just go home at lunchtime or if I was coming from other parts of the city where I'd be near my parents' at lunchtime or right after work, I'd stop in. And on weekends I'd go up for awhile doing laundry and things like that or go up and have dinner with them.

Q. After you moved from your parents home, would you do things with your parents, social things? You would have meals together?

A. That was usually at home. My parents didn't go out a whole lot except maybe one night a week for dinner, and I may join them for that or go to the house and have dinner there.

Q. Did you go on other types of outings with them?

A. Not social functions per se as to parties or things like that other than Christmas parties at the office or something like that. They didn't go out that much, and I didn't go with them on those occasions that they did.

Q. Did you take vacations with them in the period after you finished law school?

A. I don't believe I have. I know we had

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during summers up to that point, but I don't believe so since I got out of law school.

Q. Now, did you take a vacation with them the summer before you finished law school, after your second year in law school?

A. I can't remember.

Q. What about, did you take a vacation with them the summer after your first year in law school?

A. I really can't remember when. I may have and I just can't keep track of it right now.

Q. What was the date of your wedding?

A. October 4, 1985.

Q. And would you give your husband's full name?

A. Edward Leroy Seitz, Jr.

Q. And does he have any nicknames or is he known in any other way?

A. Also known as Skip to a few people, childhood friends.

Q. But he doesn't use that name very often?

A. No.

Q. Where did you meet your husband?

A. At a place called The Anchor in Kanawha City.

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Q. That's a restaurant, pizza house?
A. It's a pizza something.
Q. And how long ago was that?
A. Fall of 1982, just over three years ago.
Q. Is your husband a native of Charleston or Kanawha County?
A. Of Charleston, yes.
Q. Has he lived here all his life since he was born?
A. Except for a period of time in Morgantown.
Q. Did he attend Western University in Morgantown?
A. Yes.
Q. And when did he graduate?
A. From college?
Q. Yes, from college.
A. I believe he graduated December of -- December or January of '77, that flip time. He transferred from Morgantown down to the university in Charleston and graduated in the middle of the semester. I guess '77, '78. I'm not sure which.
Q. What did he study in college?
A. He has a business degree. I'm not sure how that's set up at Morris Harvey or what it's called. It's a B.A., and I don't know if it's economics or

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business.

Q. Where did he go to work upon graduation from college?

A. He went to work for a company in Dunbar that I think sold Texas Instrument calculators and things like that and worked there for maybe about six months.

Q. What kind of work did he do there?

A. He was a salesman.

Q. Did he go out of the offices to do the sales?

A. I believe so.

Q. How long did he work there?

A. I think six months, but I'm not real sure.

Q. Does he still work there?

A. No.

Q. Where does he work now?

A. He works for Dupont.

Q. At what location?

A. Well, West Virginia.

Q. What type of work does he do there?

A. He's a chemical operator.

Q. That is a function within the plant itself? Am I correct?

A. Yes.

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Q. And how long has he worked there?
A. Six years or six and a half years.
Q. What was his mother's maiden name, can you tell me?
A. Norman.
Q. Does he have uncles and aunts by that name in this area?
A. He has cousins, I believe, but I don't know of any aunts or uncles he has on his mother's side that are here in Charleston.
Q. Does he have aunts or uncles on his father's side that are here in Charleston?
A. No.
Q. Is that because they are not living or they have moved from here?
A. On his father's side I don't believe they're living but I may be wrong. On his mother's side they live outside of Charleston.
Q. You indicated there are first cousins here from his mother's family, the Norman family. Are there first cousins here on the father's side?
A. There are no first cousins on the Norman side. I think they're second or third cousins. I'm not quite sure how distant, but they're not first cousins. On his father's side I don't

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believe there are any here in Charleston.

Q. Did your husband know your mother and father?

A. After we met and started dating, he met them, yes.

Q. And what were the circumstances of those meetings?

A. He would come over with me to the house or stop by and see me at the house when I was still living there in the fall of '82 and then afterwards we'd stop by there to visit.

Q. And gave them the news then at some point?

A. Yes.

Q. You mentioned that you met your spouse at the Anchor in Charleston. About when was that?

A. It was probably about three weeks before the Penn State game that year. I don't remember the date, but I know it was before the Penn State game.

Q. What year was that?

A. 1982.

Q. Have you ever been married before?

A. No.

Q. Has your husband been married before?

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A. No.
Q. Where did your wedding take place?
A. Place or town?
Q. Were you married in Charleston?
A. Yes.
Q. What church or other location?
A. Church of the Good Shepherd on the corner of Chapel and Chesterfield in Kanawha City.
Q. What denomination is that church?
A. Episcopal.
Q. Are you a member of that church?
A. I was when I was a child. My brother and I went there, and then since we decided to get married, we started going there for premarital counseling, and I have gone to the church several times since then.
Q. Who was the minister or priest?
A. Esber Tweel.
Q. Now, who were your bridesmaids in the wedding?
A. Anna Garner from Columbus, Ohio; Tara Murphy, now from San Francisco; Lisa Smith from Bluefield; Debi Sticklen from here in town, and Anita Casey from here in town.
Q. Your sister wasn't a bridesmaid?

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A. No, she wasn't.

Q. Was there any reason for that?

A. She was going to be until about -- until my mother died and she again did not want to come back to Charleston and be involved with it, and for that reason did not want to be in the wedding.

Q. Did any of the bridesmaids know your mother?

A. Yes.

Q. Which ones did?

A. I'd say all of them except Debi Sticklen may or may not have met her. The others I'd gone to school with and had been at the house at various times during the school years or during the summers visiting.

Q. Now, Tara Murphy, how close a relationship did she have with your mother?

A. I'm not quite sure how to answer that. She had stayed at the house several times, and my mom always talks to everybody and she got along well with people and Tara got along well with people, so I couldn't tell you how close they considered it to be.

Q. What about Lisa Smith?

A. Lisa had probably been there less frequently,

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maybe two or three times for any extended period.

Q. Would you have always been there when either Tara Murphy or Lisa Smith were with your mother?

A. I'd say 90 percent of the time. There may be times she got there before I did to meet me at the house or something like that.

Q. Now, I believe you said Debi Stricklen did not know your mother?

A. Sticklen.

Q. Sticklen?

A. Right. I don't believe they ever met. I know they talked on the phone if Debi was trying to find me or something like that, but I don't believe they ever met.

Q. Anita Casey, did she know your mother?

A. Yes.

Q. What were the circumstances of her knowing your mother?

A. Anita and I went to law school together, and again there was times during the school year we'd ride back and forth with each other or during the summer we're together a lot, and Anita would come by the house quite frequently.

Q. Do you recall who the best man and

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the ushers were at your wedding?
A. I'll try. Richard Sibray was the best man. Mike Cusick was an usher, my brother Will was an usher, Scot Sticklen and David Kneightley were ushers.
Q. Did the best man, Richard Sibray, know your mother?
A. They may have met a few times, but wouldn't have spent any time together even probably with me at the house.
Q. What about the ushers, other than your brother? Mr. Cusick, Mr. Sticklen and Mr. Kneightley?
A. I don't believe any of them ever met my mother.
Q. Were all of the bridesmaids and best man and ushers from Charleston?
A. No.
Q. Which ones were not?
A. Easier to tell you which ones were.
Q. All right.
A. Debi and Scot Sticklen were from Charleston and David Kneightley is from South Charleston.
Q. What about Tara Murphy, do you recall where she's from?

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A. Originally from Craigsville. At the time of the wedding she was in Chicago, Illinois and she's now transferred out to San Francisco.

Q. What is she doing out there?

A. She's a lawyer.

Q. You knew her from law school?

A. Yes.

Q. What about Lisa Smith?

A. She's from Bluefield.

Q. Where is she now located?

A. Still in Bluefield.

Q. Is she a lawyer also?

A. Yes, she is. And Anita Casey is from Charleston. I forgot about her.

Q. You knew her in law school I believe you indicated?

A. Yes.

Q. Debi Sticklen is from where?

A. She's from the Kanawha Valley and still lives here.

Q. Is she a lawyer also?

A. No.

Q. How did she get in there?

A. Just luck.

Q. Now, is the best man from Charleston?

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A. Originally. He now lives in Morgantown.
Q. Is he in school there?
A. No, he is a chef with the Ramada Inn.
Q. What about Mike Cusick?
A. He's in, I think it's Montezuma, Georgia, somewhere in the northern part of Georgia.
Q. Is that where he's from?
A. He's from Charleston originally.
Q. How long has he been away from Charleston?
A. Probably since high school or -- no, that's not right either. At least eight years I guess. I'm really not sure.
Q. What about David Kneightley?
A. As far as I know he's from Charleston and has been here the whole time.
Q. Did you have a large wedding?
A. Large in attendance or in --
Q. Large in attendance.
A. I'd say probably, yes. I mean, it wasn't a huge wedding but it wasn't a small wedding either.
Q. Approximately how many people attended?
A. Guessing about 180.
Q. Do you have a guest list of the

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people who attended the wedding?
A. Yes.
Q. Could you make it available to us?
MR. T. D. KAUFFELT: Is there any objection to that?
MR. FARRELL, JR.: For what purpose?
MR. T. D. KAUFFELT: Just information as to people who she knows and know the family, just background information.
MR. FARRELL, JR.: I'll say on the record that I don't see the relevance of it, but I'll leave it up to Miss Haight.
A. I guess it can be put back together again. I don't know how people who didn't know my mom would feel about having their name given out. Other than that . . .
Q. It's available?
A. Yeah.
Q. And I believe I overlooked your brother. Your brother does not now live in Charleston, does he?
A. No, he does not.
Q. He lives in?
A. Atlanta, Georgia. And you also missed Anna Garner who's in Columbus, Ohio.

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Q. And did she go to law school with you?
A. No, she didn't. We went to undergraduate school together, and she's known my family since then.
Q. Did she know your mother?
A. Yes.
Q. How well?
A. I'd say fairly well over that time period.
Q. You have one brother and one sister, I believe?
A. That's right.
Q. Would you give us their full names.
A. William Thompson Haight, II, and Patricia Lynne Haight.
Q. Can give us their addresses?
A. Not off the top of my head.
Q. But those would be easily available if we need them, would they not?
A. Yes.
Q. Did you ever hear your mother use the phrase BC and AC? She meant before children and after children?
A. Not in that way, no.
Q. On your mother's side, did you know her siblings?

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A. Yes.

Q. You had an uncle and aunt. Is that correct?

A. That's correct.

Q. And what was your uncle's name on your mother's side?

A. Malcolm Lindsey O'Neale, maybe junior. I'm not sure.

Q. And where does he live?

A. In Florida, and I can't remember the town right now, but in Florida, and has lived there as long as I can remember.

Q. Did you have occasion to know him?

A. On a few occasions when we had vacations to Florida, we would stop by and see them, and he would come up to Charleston on various occasions, but I never spent time with them over longer than a couple of days.

Q. On approximately how many occasions?

A. Maybe 10, 12.

Q. Over your lifetime you're saying?

A. Yeah, that I can remember.

Q. And what were the circumstances of those meetings?

A. Again, they'd be if my uncle was coming

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through town, either he alone or with his wife and would spend a few days here. We'd visit or have dinner or lunch or something, and then if we were down in Florida on vacation, we'd stop by there and spend a couple of days visiting with them.

Q. Were you close to him?

A. I'd have to say no.

Q. What was his occupation?

A. Specifically, I couldn't tell you. I know he was involved with some of the NASA Space Program down around there, but what he did, I don't remember.

Q. Do you know anything about the history of his health?

A. Just, as I understand it, he's in very good health and still plays tennis all the time and always has, but other than that, any details, I don't.

Q. Did you ever discuss with your mother or your father his health?

A. The fact that he was still very active, playing tennis and had won some championships for his age group and things like that, yes.

Q. Do you recall any discussion of ailments he might have had?

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A. No.

Q. Did he come to your wedding?

A. No, he did not.

Q. Were they invited?

A. Yes, they were.

Q. Now, your mother had a sister, I believe, did she not?

A. Yes.

Q. Could you give us her name?

A. Caroline O'Neale Chaney.

Q. And do you know her age in relationship to your mother?

A. I believe she was about three years older, but I'm not sure. I know she was older than my mom.

Q. Where did she live?

A. Charleston.

Q. What was her occupation?

A. I believe she may have started out with journalism, but as long as I knew her, I don't believe she worked outside the home.

Q. What was your relationship with her?

A. We would see each other on holidays or family occasions or when she'd be down visiting my mom.

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Q. Did you visit at her home occasionally?
A. Occasionally, but only with the family or occasions like that. Never by myself.
Q. Does that indicate that you did not have a confidential relationship with her?
A. I'd agree with that, yeah.
Q. Do you know anything about her health history?
A. Mainly that starting in the early seventies she had a lot of problems, complications, different diagnoses of cancer and problems connected with an airplane crash she was involved in with her ankle and some problems with that in which she received chemotherapy and other treatment for the cancer.
Q. Do you know the type of cancer she had?
A. I think at various times she had different kinds, and I couldn't tell you right now what all they were.
Q. Did you hear a discussion of her health history from your parents?
A. From my mother when Caroline would have been if Bethesda, Maryland and getting treatment or

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gone to Texas or other places, and then in the last few months before Aunt Caroline died how she was progressing or not progressing.

Q. Do you recall when she died?

A. Mid-July, I believe, of '85.

Q. Were you acquainted with her husband Vincent V. Chaney?

A. Yes.

Q. He practices law with the firm with which you're associated. Is that correct?

A. Yes, he does.

Q. So his address, he lives in Charleston also. Is that correct?

A. Yes.

Q. Do you have a close relationship with Mr. Chaney, your uncle?

A. Not a confidential relationship. I mean, through seeing him in the office and family gatherings, probably some ways we have more in common than Aunt Caroline and I, but again not a confidential relationship.

Q. Did you have social, frequent social contact with your aunt and uncle, Vincent and Caroline Chaney?

A. No, maybe a couple times a year with either

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through the office or family for holidays, maybe lunch every once in awhile with Mr. Chaney.

Q. Were you familiar with Mr. Chaney's health history?

A. Aware that he's had problems with his hip, some pins implanted. Apart from that, not really.

Q. He has no health problems other than that?

A. Not that I'm aware of.

Q. I'd like to discuss your schooling for now at the moment if you please. When was the first time you attended school?

A. I went to kindergarten, a church-type kindergarten. I don't remember which. It was within a couple of blocks of where we lived, and then we went to Chamberlain Elementary.

Q. And where is Chamberlain Elementary located?

A. 49th Street in Kanawha City, 49th and Venable I think.

Q. And how large a grade school was that?

A. At the time it seem pretty large, but looking back, I couldn't tell you how many students were there. There were about 25 to 30 students in my class, and then -- I don't know,

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maybe 300 students.

Q. Was there only one classroom for each grade?

A. I believe there were two for each grade.

Q. So might have been 12 classes in the school, 12 classrooms?

A. Yes.

Q. How long did you attend Chamberlain?

A. Six years.

Q. And did they discuss health matters with you at Chamberlain?

MR. FARRELL, JR.: Are you asking if she was taught a health course?

MR. T. D. KAUFFELT: Yes.

Q. Were you taught a health course at Chamberlain?

A. I don't know that we were taught, per se, a specific class. I know we were taught some dental things because I remember them coming along with little red tablets and things, but as to anything specific, I can't remember. I don't believe so.

Q. Do you recall any discussion other than the dental, of health matters, not in a formal classroom type of arrangement?

MR. FARRELL, JR.: Do you understand

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the question?

THE WITNESS: Uh-huh.

A. I couldn't tell you.

Q. When you had this dental program, how did that take place?

A. Oh, something where they came in one time a year and you were supposed to brush your teeth and take some little red tablet and show you how poorly you had brushed your teeth. I guess it was something they did in all the schools.

Q. Do you remember any of the teachers you had in grade school by name?

A. I remember there was a Miss Cano (phonetic) who was second/third grade teacher. She taught, I think, the advanced second grade and third grade class. I think a Mrs. Brown who taught fourth or fifth and Mrs. Rogers who was the principal. I don't think she taught any classes other than she'd come into different classrooms at different times and do odds and ends, but I don't think I remember any other teachers by name.

Q. Did you maintain a relationship with any of them?

A. I did not, no.

Q. You were there six years I believe

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you indicated. Where did you go to school after that?

A. Horace Mann Junior High School.

Q. And what type of school is Horace Mann Junior High School?

A. Three year junior high, seven through nine.

Q. And were you there for the full three years?

A. Yes.

Q. In that school were you directed toward a particular interest that you might have had?

A. I don't believe so except in some courses that you could elect to do, like if you wanted to take band class or wood shop or sewing or things like that. Other than that, I think it was pretty straight curriculum for everybody.

Q. Did you have health classes in that school?

A. They had something that was called a health class. I don't know if it was actually physical education, but it was sort of a combined thing for health and Phys Ed.

Q. Was the matter of smoking discussed at that time in those classes?

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A. May have been. I don't really remember.

Q. Do you recall who taught those classes?

A. It was a woman Phys Ed instructor, and I don't remember her name right now.

Q. Do you remember any of your other teachers at that time in Horace Mann Junior High School?

A. There was a Mrs. McCarty or McCarthy who was a math teachers. Mrs. Anderson who was a science teacher and Miss Swoyer who was also a math teacher. Mrs. Milam who was a Spanish teacher. Mr. Asay who taught social studies.

Q. Do you have any memory of textbooks that were used in the health course that you might have taken?

A. No. I don't remember there being a specific book. We may have gotten booklets on different topics at some time, but I don't remember a specific course book.

Q. During the period you were in grade and junior high school, did you discuss the matter of smoking with either of your parents?

A. Not that I can recall at this time. May have been since mom smoked it may have come up in

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some topics, but I don't remember sitting down and discussing smoking with them. At least not at that point in time. Well, at some point as far back as I can remember, and it may have been junior high school, my father had made statements to us that he didn't want us smoking, but as to discussing anything more than that, I don't remember when that happened or when he said that to us.

Q. Did he indicate why he didn't want you to smoke?

A. It was a bad habit, that it was something that could affect your health. I don't really remember now anything more detailed other than it was something that he was adverse to and didn't want us to do.

Q. Was your mother there when he indicated or spoke to you on this subject?

A. Yes.

Q. Did she say anything?

A. The most that I can remember, and I'm going back a ways, is, for example, a time that my father may have said it at the dinner table about not smoking and doing something like your mother does, and she said something like, oh, John, or

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something. I mean, just sort of exasperated. I don't know quite how to describe that. I guess you had to be there for that, but she never contradicted him or anything like that.

Q. Did she ever indicate to you that she would prefer you didn't smoke?

A. Yes.

Q. Do you recall what time frame?

A. I really can't say right now. She was never as emphatic about it as my father was. I guess that sticks in my memory more. But I know at least somewhere by high school she had said they would prefer we didn't.

Q. Did she explain why she would prefer you not to smoke?

A. We're talking back junior high, high school days?

Q. Junior high. We'll stay in that frame.

A. The words that come to mind, and they may not be her words, it was a dirty, nasty habit that she had started young and she didn't want us to do the same thing. There was something about staining your teeth and fingernails and something like that. That's about it.

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Q. Did she mention to you that she thought it would be harmful to your health?
A. She may have, but from that time period, that doesn't stick out in my mind.
Q. Now, when you were in junior high school at Horace Mann, were there activities you took part in aside from your classes?
A. You mean something like the Spanish Club and things like that?
Q. The band and things of that sort, athletics?
A. I know I was in the Spanish Club and maybe something similar, but I didn't participate in athletics or the band.
That can't be right either. I took clarinet lessons which would have been that time period, but I may have just taken it as a class rather than playing in the band. I can't remember now.
Q. You didn't play in the band?
A. I don't believe so.
Q. Do you recall your friends that you associated with in the period of your junior high school?
A. I don't think I could isolate it to junior

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high school, who I ran around with or was friends with then. I remember some people that maybe overlapped from grade school all the way up to high school. But specifically junior high, maybe Norma Brown who lived a couple of houses down from us, and David Perkins who lived across the street for awhile.

Q. You associated with them to some extent during that period?

A. They were within the neighborhood where I was growing up and saw them through the school years.

Q. Were you in their homes from time to time?

A. Yes.

Q. What were their parents' names?

A. Betty and John Perkins, and I don't remember Norma Brown's parents' names.

Q. Are the Perkins still living in Charleston?

A. Yes.

Q. Same place they lived near you?

A. Yes.

Q. What about the Browns, do you know anything about them?

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A. I know that Norma Brown is no longer in Charleston, and I don't believe her parents live -- at least they don't live in the same neighborhood.

Q. Do you know where Norma Brown lives now?

A. I don't remember.

Q. You're not in contact with her at all?

A. I saw her at a high school reunion. That's the only reason I know she's not in Charleston.

Q. Were there sororities in junior high school, junior high sororities?

A. There may have been. I wasn't in any of them.

Q. Any other associations other than the Spanish Club?

A. Not associated with the school.

Q. Do you remember whether your mother came to Horace Mann Junior High School as a regular participant in some functions there?

A. I think she did more with my brother and sister than when I was there.

Q. What were those activities that you understand she took part in?

A. If they had -- I can't remember now if junior high had homeroom mothers or not. I know

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my mother was that for my sister in grade school and I think for my brother. She may have been for me and I don't remember. And I'm sure there were things at Horace Mann. If not homeroom mothers, they wanted parents to help, you know, Valentine Day parties or different things like that that she may have done things with, and she had a car-pool with some of the other kids and their mothers and some of them. But I don't remember anything specific.

Q. Do you recall whether your mother was on friendly terms with Perkins and Brown, the parents of those children?

A. The Perkins, yes. I don't think with the Browns other than the two of us, Norma and I, played together.

Q. As to the Perkins, was there some association, regular association with the Perkins?

A. Yes.

Q. And how would you describe that relationship?

A. Close one. Their family and ours grew up together. A lot of -- the age of the Perkins' two youngest and then my brother and sister and I coincided.

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Q. Do you know whether that relationship continued say until your mother's death?
A. Yes, it did.
Q. Did you take part in any individual sports during that period? During junior high I'm speaking of now.
A. Not in school. I mean, I think there was tennis and things like that that I may have done with other --
Q. Did you play tennis?
A. I think so. Around junior high was probably when I was most interested.
Q. Did you take tennis lessons?
A. I think I may have one summer. Down at Watt Powell Park or something like that.
Q. Do you recall who taught you?
A. No.
Q. Do you recall whether the teacher ever indicated anything regarding smoking and tennis or sports?
A. No.
Q. Now, where did you go to high school?
A. Charleston High School.
Q. And how long did you go there?
A. Three years.

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Q. Graduating in what year?
A. '75.
Q. And what type of courses did you take in high school?
A. They would have been college prep courses. Rather than just the basic curriculum or shop classes or different things.
Q. Did you have health courses at that time?
A. Probably in connection with Phys Ed again.
Q. Did you take a biology class during high school?
A. Yes.
Q. Now, in your health or health/Phys Ed courses did you discuss smoking?
A. It may have been discussed. I can't remember any details, you know, a specific day when we were taught about smoking or anything else really, but.
Q. Can you recall anything about what might have been said about smoking in that class?
A. That may be about the time that I was learning about some hazards with smoking, health hazards with smoking, and there may have been something with like running or doing things that

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can limit your breathing abilities, cut down on that. Anything more than that, I really can't remember.

Q. You indicated you were learning something about smoking. Where would you be learning about smoking other than in school?

A. I was mainly talking about that class, that they would have done that I'm sure. I'm sure I was seeing different things on television or magazines or anything else during that time period.

Q. What activities did you take part in in high school, other than your normal classroom work?

A. Again, I think I was in the Spanish Club in high school. I tried to run track for a year. I was a mascot for Charleston High which was not the cheerleaders but the Mountain Lions.

Q. Now, during the year you were on the track team or going after the track team, who was your coach?

A. They were just trying to start a track team, and there were two men who were attempting to get it started, and I had not had them for any classes and I don't remember their names.

Q. They were not faculty?

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A. Yes.

Q. Would that have been the first year you were in high school?

A. Would have been my senior year.

Q. How long did you participate in that activity?

A. Probably up to the time when they decided who was on the team and who wasn't.

Q. You weren't fast enough, is that what you're saying?

A. Wasn't fast enough.

Q. Was smoking discussed by those people, the teachers or those who were trying to form this team?

A. Only thing I remember with them was emphasis on fruit and Gatorade and different things, not to get dehydrated. That's all I remember from that.

Q. Now, you indicated that you were the mascot in high school. What was that?

A. Well, you dressed up as a mountain lion in a little outfit and got out with the cheerleaders and didn't do all the cheerleading activities but helped do the cheering and get the crowd yelling and things like that.

Q. And how many of those were there at

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any given time?
A. I think there were five altogether. With a couple of seniors and a couple of juniors, something like that. You have one at each game usually.
Q. Now, during this period did your mother have occasion to take part in activities at Charleston High School, the parents sometimes took part in homeroom or something of that sort?
A. I don't really believe there was any homeroom-type things, but I remember her doing things like helping make the mascot outfits and helping with maybe some bake sales, also car-pools.
Q. Did she make your outfit?
A. I believe so, yeah, and maybe one or two of the others.
Q. Did she ever attend the sporting events where the mascots assisted in the cheering?
A. No.
Q. Did she not care for sporting events?
A. Not that I'm aware of.
Q. Were there sororities in high school when you were there?
A. I think there were.
Q. Were you a member of them?

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A. No.

Q. When you were going out for track, what was the general training regimen you were faced with?

A. I think after school we'd go and do some stretching exercises and then run some sprints and long distance and different running activities. That's about all I really remember, was after school a couple of times a week. I may have tried doing some running, you know, at home or after school or before school, but that whole time period was not that long, you know, maybe a couple of months.

Q. Did you participate in any sports in high school other than that track -- other than maybe the tennis or something of that sort?

A. Not that I did other than physical education classes, and I think one year I was a bat girl for the baseball team, but that didn't involve any exercise other than running and picking up bats.

Q. That was the high school baseball team?

A. Yeah.

Q. Now, did you have physical education classes in junior high school?

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A. Yes.

Q. And do you recall what you would do in those classes?

A. Generally the range of exercises of jumping jacks and touching your toes and different things plus playing volleyball, basketball, probably tennis at certain times of the year, running. I think the President's physical fitness thing was coming out then or really emphasized then, as I remember, so doing things for that, broad jumps and different things like that.

Q. Do you recall who your physical education teachers were?

A. The one I remember now you'd asked me before. Are we in junior high again?

Q. Let's say junior high.

A. Was Mrs. Hayworth was the girl's Phys Ed instructor, and sometimes we'd combine with the boys, but I don't remember who taught them.

Q. And did you indicate to me that you didn't recall smoking being discussed at that time in junior high physical education?

A. Not specifically. I remember Mrs. Hayworth smoked, but she never said anything to us about it. I just remember she kept having to take breaks

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every once in awhile. But I don't remember her saying anything or teaching anything about it.

Q. Did you take physical education in high school?

A. Yes.

Q. Do you recall who taught that?

A. It was a Mrs. Angelo or D'Angelo, something like that.

Q. And what activities did you take part in in physical education in high school?

A. Again, it would be similar to what it was in junior high. I think we had a separate gym in high school that there may have been some other things with ropes from the ceiling or climbing pegs up the wall or different things, but it was all again doing warm-up exercises and then playing, you know, a game of some kind.

Q. Was there any discussion of smoking in that high school physical education class?

A. Again, not that I can remember specifically. Not any separate days when that was taught. I know there was maybe one day a week we'd have films instead of class about either exercise or something related to that, but I don't remember anything specifically about smoking.

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Q. Do you recall whether Mrs. D'Angelo smoked?
A. She may have. I couldn't say for sure right now.
Q. Do you recall any special events regarding health that might have brought up smoking, any seminars or get-togethers they have in schools? I forget what you call them. Assemblies that might have discussed smoking?
A. The only thing I can really remember was you were not supposed to smoke in the building or different things, but as I understood, that was more fire hazards than anything else. I don't remember them giving any assemblies or anything else where that was brought up.
Q. Did you smoke in high school?
A. No.
MR. T. D. KAUFFELT: Shall we take a ten minutes break?
(There is a recess from the record.)
Q. Mrs. Haight, you mentioned when talking about what you did in preparing for this meeting that you consulted a calendar. What type of calendar did you speak of?
A. It was either looking back at mine, my

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office calendar, which I had some dates noted like when my parents were out of town, and then at one my mother had.

Q. What type of calendars did your mother keep?

A. Just one that she could write down appointments in or something.

Q. You have that, do you?

A. It's at my dad's house.

Q. He has that?

A. Yes.

Q. You looked at your office calendar. Is that also what you went to to see if time was available for the deposition?

A. Well, I did that, yes.

Q. What other calendar? You said the one your mother had and the one you had. What is yours?

A. Mine is just my office desk calendar where I had some dates written down such as when my aunt died, when my mom and dad were in Texas and I'd be house sitting or something like that. It had a few things like that.

Q. I believe we were talking about high school and your activities. Let's go to college.

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Where did you attend college?
A. Denison University in Granville, Ohio.
Q. And what year did you start there?
A. Fall of '75.
Q. And what course did you take?
A. The first couple of years I think were just general requirements, and then I ended up majoring in psychology.
Q. When you went to Granville, were you contemplating going to law school?
A. No.
Q. Where did you live at Granville?
A. It was on-campus housing, in different dorms on campus.
Q. All the years you were there?
A. Yes.
Q. And what year did you finish there?
A. 1979.
Q. Was there a dorm for girls and dorm for boys or several of them, perhaps?
A. Several dorms, all segregated males to females until my last year.
Q. And what was the arrangement then?
A. There was one dorm that had separate suites that they allowed men and women to live, women in

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one suite and men in the next.

Q. Did you have a roommate during the years you were in college?

A. Yes.

Q. Can you tell me who they were?

A. My first year, my first year roommate was Anna Garner.

Q. Who has already been mentioned?

A. Right. And we were in a six-person suite with -- one of the girls was Carol Wallace.

Q. Where was she from?

A. Cleveland, Ohio or one of the suburbs of Cleveland.

Q. Did she ever visit in Charleston?

A. I don't believe so.

Q. Are you in contact with her?

A. Not directly, just indirectly when I talk to other people who know that we were roommates and knew each other.

Q. Did you invite her to your wedding?

A. No.

Q. Who else now?

A. Pam Baughman was one of the other suitemates, and she's from Ohio and I think now in Columbus.

Q. Are you in contact with her?

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A. Not except maybe once every couple of years if I'm in Columbus I give her a call or hear something about her.

Q. Was she invited to your wedding?

A. No.

Q. Who else now?

A. I can't remember the names of the other girls in the suite.

Q. Do you have anything in writing indicating their names?

A. I'm sure I can figure it out if I went back to the yearbook that we had or went back to that time period. Right now I don't remember names of the other people. I can picture them but I can't name them.

Q. If we would want to know that, you could find it out?

A. I could find it.

Q. In that suite with those people, did you ever discuss smoking?

A. I think we did because two people smoked and I don't believe any of the others did.

Q. Do you remember the names of the two who smoked?

A. Pam Baughman was one of them, and the other

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girl I can't remember her name.

Q. Did you ever smoke in that first year in college?

A. I can't say I never tried a cigarette. I never smoked more than trying one or something like that. I never bought cigarettes. I may have tried them once or twice.

Q. That first school year you indicated there were two people in your suite who smoked?

A. Yes.

Q. Did they smoke at the time they arrived in school?

A. I believe so. I believe one of them did, and the other I'm not sure about.

Q. Did they smoke when they left school, at the end of that first year when they were no longer in your suite?

MR. FARRELL, JR.: Are you asking if they smoked after they left college that year?

MR. T. D. KAUFFELT: Let me rephrase that, Mr. Farrell. Maybe I didn't make that clear.

Q. Did they smoke, still smoke when they finished the first year of college?

A. Yes.

Q. Are you familiar with their smoking

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habits after that?
A. One girl I would see around campus the next couple of years and she smoked all four years that I can remember having seen her, but the other girl transferred and I don't know what Pam has done since graduation.
Q. Was there any controversy in your suite about smoking?
A. Some, as to ventilation for some of it. We had four rooms and connecting bathroom and one room was a sitting room area, and that was, you know, it sort of worked out that the two smokers would try and stay near the window and circulate smoke that way.
Q. And did that keep peace and harmony in the suite as far as smoking was concerned?
A. Yes.
Q. Where did you live your second year?
A. I can't remember right now.
Q. Would it have been the same type of arrangement that you had that first year?
A. It would not have been the six-person suite that year. I'm trying to remember which dorm I was in and I can't even remember that right now.
Q. How many people did you room with

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that second year?
A. Probably one.
Q. Who was that?
A. I can't remember where I was my second year.
Q. Or who your roommate was?
A. Not right now, and I should, but I don't.
Q. Do you recall whether the roommate smoked?
A. She didn't.
Q. She did not?
A. None of my roommates from that first year smoked.
Q. You indicated there was some controversy in that first year among those in your suite. Did you take any part in that controversy?
A. I wouldn't say there was a controversy. There was a request that smokers give some consideration to the nonsmokers.
Q. Did you join in that request?
A. Yes.
Q. And were satisfied with the way it worked out or not?
A. Yes.
Q. Do you remember where you lived the third year of college?

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A. The first semester I was in London, England in an abroad study program, and when I came back the second semester, I lived in another dorm downhill -- There was an upper and lower campus -- with a girl named Cathy Zetts.

Q. And where is she originally from?

A. Originally I believe from around Cleveland. Again, it could be a suburb of Cleveland but she's now in Columbus.

Q. Are you in contact with her?

A. Every once in awhile, maybe once a year or once every two years. I know where she is because I have other friends in Columbus, but I think I probably saw her last Christmas.

Q. Was she invited to your wedding?

A. No.

Q. I believe from what you said she did not smoke?

A. That's correct.

Q. In either your second or third year in school in the dorm, do you recall any discussion of smoking with either your roommate or the others who you associated with in the dorm?

A. I know there were conversations about it because that was a lot of the time -- or there

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were a number of people smoking, and it was sort of a peer influence, and it was discussed in our suite and in some of the dorms do you or don't you, how long people had or not had, just sitting around talking; and maybe if there was something on TV about smoking or different cigarettes, that may have come up. I don't remember any specific organized discussion of it.

Q. Were there any conclusions reached in these discussions you would have?

MR. FARRELL, JR.: I object to the form of the question. Conclusions about this witness or about someone else?

MR. T. D. KAUFFELT: By this witness.

MR. FARRELL, JR.: Did she draw any conclusions?

MR. T. D. KAUFFELT: Conclusions from it.

A. I concluded I didn't like it or see the, I guess, interest or whatever other people did in smoking, but.

Q. Did part of the discussion about smoking lead to discussion of the effect on your health?

A. Probably. Again, because I think earlier

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than that the stuff about doing exercising, it could limit your breathing, and I remember at that time people who would come in from out running or doing something and say I have to cut back because I can't get my breath as quick or something like that. As to what -- I don't know if it was during that time there were also more articles coming out about cigarettes and other -- and that it caused cancer or anything like that that hit the news. It became discussion, I'm sure, if it was on the news or in the magazines it would have come up because we probably would have said something to the people who were smoking.

Q. Did you select your roommates?

A. Not the first year but after that.

Q. You did. In selecting them the next three years, did you take into consideration whether they smoked?

A. Yes.

Q. Meaning you wanted to room with someone who didn't?

A. Correct.

Q. Would you have roomed with someone who did?

A. My preference was not to, but if they were a

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friend of mine and we got along and we could have worked out something like I had my first year, then I may have, but it didn't happen just because all of my roommates didn't.

MR. FARRELL, JR.: For the record, I'll object to the question. It calls for speculation on the part of the witness.

Q. Do you consider your attitude about smoking, as to not smoking, a firm attitude at this time?

A. As to me not smoking?

Q. Yes, as to you not smoking.

A. Yes.

Q. When do you believe that attitude became firm?

A. Total 100 percent?

Q. Yes.

A. I don't know that I could tell you. I mean, there were time periods when it was there and everybody was smoking so you tried them, but -- so it couldn't have been by that point, but I don't know when you could say that.

Q. Now, I don't believe we discussed who you roomed with in your fourth year at Denison.

A. My fourth year I roomed with Lesley

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Bautista, B-a-u-t-i-s-t-a. She's from Columbus and I believe is still there, and we shared -- again, it was a four-person suite with a girl named Ellen Cox who was from, again, northern Ohio, and I'm not sure where she is. And on that side of the suite there were two girls, one who left during part of it. I can't remember either of those two's names right now. Well, no, one was Dawn Carter and the other girl I can't remember right now.

Q. Would you describe the arrangement in the suite for your fourth year.

A. There were two rooms with a connecting bathroom and you could enter both rooms from the hallway, so you can close off the bathroom and have segregated rooms.

Q. In other words, there would be two girls in a room and a bathroom and then two girls on the other side?

A. Right.

Q. And who roomed with you at that time?

A. Lesley Bautista.

Q. And the other two you mentioned were in the other suite through the bathroom?

A. Right.

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Q. Now, you indicated, I believe, that the Bautista girl wouldn't be a smoker?
A. Correct.
Q. Were the two in the room through the bathroom smokers?
A. Ellen was not, Dawn Carter may have for a time. She was not a person who smoked all the time, but I seem to recall some period when she was. I don't really remember why or anything, but she was not smoking the whole time that I knew her.
Q. Do you recall, aside from the roommates we discussed, any of your close friends, friends you were close to during college in freshman year, do you recall?
A. Well, I was with my suitemates, even if I can't remember all their names now, and with Cathy Zetts, who was later my roommate. A girl named Sue Donahue, who was I think from Lancaster, Ohio.
Q. Are you in touch with her still?
A. No. I haven't been for a number of years.
Q. Can you think of anyone else in the first year?
A. Mark Nestmann, who was from Charleston, and John Giltinan from Charleston.
Q. They both still live in Charleston?

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A. John does. Mark is I think in Florida, somewhere south.

Q. Are you in contact with either of them now?

A. Not with John. Mark I saw maybe a year ago. He invited me to his wedding, but I haven't seen him in probably a year.

Q. He wasn't invited to your wedding?

A. No.

Q. What about the next year?

MR. FARRELL, JR.: What's the question?

MR. T. D. KAUFFELT: Who were some of her close friends in the third year of college besides the roommates she discussed?

A. Are we in second or third year of college?

Q. I think the third, aren't we, or maybe the second year?

A. I'm still blanking on my second year.

Q. Was that a bad year?

A. I don't think so.

Q. Let's go to the third year then.

A. Third year I was abroad for the first semester. A girl I remember from there would be Heather Harmsen, I believe from Minnesota, and I

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haven't corresponded with her in probably three or four years.

Q. Do you recall the smoking habits of the people you have mentioned of your friends who were not your roommates?

A. I don't believe John or Mark smoked, or if they did, it was not continual. And Sue Donahue I don't believe did.

Q. Heather?

A. Heather I can't remember. I don't believe she did.

Q. Now, who were your friends during the fourth year of college other than those girls you mentioned you roomed with?

A. Roommates and Anna Garner.

Q. She was from where?

A. She was now in Columbus. She was from around Wheeling.

Q. Are you in contact with her?

A. Yes.

Q. She was the girl in the wedding?

A. In the wedding.

Q. Yes.

A. Sarah Short.

Q. Are you in contact with her?

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A. Just again indirectly through Anna or other people.

Q. She wasn't invited to your wedding?

A. No.

Q. Kathy Stennett is here in Charleston. I can't really remember anybody right now.

Q. Did any of these roommates or other friends that you have mentioned as being friends of yours in college ever visit in your home in Charleston, your parents' home in Charleston?

A. Well, Anna has, obviously. I think Kathy Stennett may have. We used to trade rides back and forth to school. Of the others, I know Mark Nestmann has been in the house a number of times but that was when -- probably right after college.

Q. Did these people who visited in your home meet your mother?

A. Yeah. I would say yes.

Q. And did a particularly close friendship develop between any of those people and your mother?

A. I'd say with Anna Garner. Other than that, I don't believe so.

Q. Did your parents come to visit you in college?

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A. My father would come out and pick us up, pick me up or other people going to Charleston or take us back sometimes. I don't believe my mother ever came out on those occasions. She may have when -- the beginning of the year. I know she did when I first went away to college she came out and she may have each year after that when I was moving in. I don't remember. They came out for graduation. But other than that, I don't really remember any other time they did.

Q. When they came out would they spend the night and then leave?

A. Sometimes but usually not.

Q. In college, did you take physical education?

A. Not per se. I mean, I took a bowling class and golf class or things like that, but it didn't have a specific physical education course.

Q. It wasn't required?

A. No.

Q. Do you recall in any of those, when you were being taught any of the sports you just mentioned, that any discussion was had with the person teaching them about smoking?

A. No.

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Q. Was Denison connected with a church?
A. It was at one time. It used to be a Baptist seminary, I believe, many years ago.
Q. Did it maintain a Baptist connection?
A. Not that I'm aware of.
Q. Was there a formal position taken by the college regarding smoking?
A. Not that I'm aware of other than certain areas were nonsmoking areas. You could smoke in the snack bar or student union and different places, but I believe there may have been some places you were not supposed to smoke, like in the auditorium or something.
Q. Did you take any health education classes when you were in college?
A. I'm not quite sure what you're asking. I mean, something like biology classes maybe.
Q. I was thinking more of where they taught you things about health, maintaining your health and things of that sort?
A. I don't believe so.
Q. Do you recall whether there were ever any programs at the school other than classroom programs, seminars, assemblies where smoking or health, where smoking was discussed?

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A. There may have been something in dorm meetings. We would get the whole dorm together on different things. They'd have speakers sometimes that would come around to the campus and different things, but I don't remember anything on smoking specifically. There may have been but I don't remember.

Q. You mentioned that you had gone to London for a semester. That was in what year?

A. Would have been first semester of the third year of college.

Q. Where did you live when you were in London?

A. There were I guess like apartment buildings that -- I think it was Dickinson College or Dickinson University that ran the program, and they had apartment buildings of some kind scattered within a six-block area, and we lived in those, in one of those.

Q. And where did you attend classes?

A. City of London Polytechnic Institute.

Q. And what kind of courses did you take there?

A. Part of it was British history and British literature, art, different things about the

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culture and mainly that type of thing, of history, and I don't think there was anything on sociology or anything.

Q. Or health?

A. No.

Q. Or smoking? Was smoking discussed there in any formal way?

A. Not that I can recall.

Q. What were your living arrangements?

A. The building that I lived in -- it may have been different in the other ones. There were usually two people to a room and two to three rooms on each floor with a basement area with a kitchen and television and things like that.

Q. And who were the people you associated with in that set up?

A. Heather Harmsen, who I mentioned before, and another girl that I was roommates with, and I can't remember her name right now, and there was one male from Denison who I didn't know at Denison but got to know there and his roommate and some friends he had, and I don't remember their names, and there was Heather's roommate. Again, I can't remember her name. But there were four to six of us who would do things together.

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Q. Were there people who smoked in that group?
A. I know Heather's roommate did. Other than that, I can't really remember.
Q. Was there any controversy regarding smoking at that time?
MR. FARRELL, JR.: Controversy among whom?
MR. T. D. KAUFFELT: Among the people living together in that arrangement she spoke of.
MR. FARRELL, JR.: Witness and a roommate?
MR. T. D. KAUFFELT: Yes.
A. Not that I can remember.
Q. After London you returned to Denison, am I correct about that?
A. Right.
Q. And did you give me the name of the person you roomed with when you came back?
A. It was Cathy Zetts. She's in Columbus now. She would have been a friend of mine through the four years when I was there.
Q. And are you in contact with her now?
A. She's the one I may have seen about a year ago at Christmas.

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Q. And then there were the other girls sharing the bathroom with you on the other side in that year?

A. Right.

Q. Now, when did you decide to go to law school?

A. I started considering it my senior year in college, and at that point took the GRE for psych grad school and LSAT for law school, and then spent -- Denison had a program called a January term. It was a four month class, one month and then four month, and for that one month you could either take a course at the school or do internships different places, and I did an internship with the Attorney General's office here in Charleston during that January, and I guess it was right after that that I decided to go to law school.

Q. When did you enter law school?

A. Fall of 1979.

Q. That's the fall immediately after your graduation from college?

A. Right.

Q. Where did you live in Morgantown?

A. I lived in Terrace Park Apartments my first

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and third years and then I lived across the street in an apartment my second year. It was all right within two blocks of the law school.

Q. Did you live alone?

A. The second year I did.

Q. First year you didn't?

A. Right.

Q. Who did you room with the first year?

A. Martha Azar. She was from Charleston and I'd known her from high school.

Q. And are you in contact with Martha Azar?

A. More than some of the others. She's now in Pittsburg, I believe.

Q. Was she invited to your wedding?

A. Yes.

Q. Did she attend?

A. No.

Q. Was she in law school?

A. No. She was still in undergraduate school.

Q. What did you do that summer after your first year of law school?

A. I worked for Legal Aid in Charleston.

Q. All summer?

A. Probably all but a couple of weeks before

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and after.

Q. What type matters were you involved with there?

A. I was doing some research on a few cases. Some of it was interviewing divorce clients or interviewing people coming in to see if they met Legal Aid requirements. I worked with a couple of the attorneys on some trials they had, just some peripheral things.

Q. And where did you live that summer?

A. At home.

Q. Where did you live your second year in law school?

A. On University Avenue right across from Terrace Park Apartments.

Q. And what type of living arrangements did you have there?

A. It was a one-bedroom apartment. I think it was two units. One down below me and then mine.

Q. And did you live alone at that time?

A. Yes.

Q. What did you do following your second year of law school?

A. I did a clerkship with Kay, Casto & Chaney.

Q. All summer?

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A. Yes.
Q. You returned to Morgantown to law school for your third year, did you?
A. Yes, right.
Q. Where did you live then?
A. In Terrace Park Apartments with Tara Murphy who we already mentioned and with Yolanda Lambert.
Q. Has Yolanda Lambert -- I don't believe she's been mentioned this morning, has she?
A. Probably not.
Q. Are you in contact with her still?
A. Yes.
Q. Was she invited to your wedding?
A. Yes.
Q. Did she attend?
A. No.
Q. Where is she living?
A. Wheeling.
Q. What does she do there?
A. Lawyer in Wheeling.
Q. Practicing there?
A. Yes.
Q. With what firm?
A. Shrader, Stamp, whatever the rest of it is.
Q. Did any of your roommates in

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Morgantown smoke?
A. No.
Q. Was smoking discussed with them at any time that you recall?
A. Not that I can recall.
Q. Were you ever in the military?
A. No.
Q. I believe you've indicated you are now currently employed by Kay, Casto & Chaney?
A. That's right.
Q. And how long have you been employed there?
A. Since May of 1982.
Q. And you are admitted to the bar as a lawyer and doing legal work I assume?
A. Yes, sir.
Q. And are you directed toward a particular type of legal work in the firm or doing general matters?
A. It has become an area of medical malpractice, defense work, is most of what I do. There is still some other different types of -- mainly defense work or subrogation work or different things I do.
Q. And involved in medical malpractice,

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what are your functions normally in a general way?
A. Well, go through the discovery process on behalf of the doctor or hospital involved to determine what the circumstances of the incident or hospitalization or whatever it was and then what allegations the plaintiff has.
Q. Who would you normally represent in those cases?
A. Hospitals most of the time.
Q. Do you work with your father or under his direction in the firm?
A. Yes.
Q. All the time or frequently or --
A. If under anyone, it would be him.
Q. You take part in trials?
A. Yes.
Q. Usually assisting your father?
A. Only on one occasion so far.
Q. Now, how many lawyers are there at Kay, Casto & Chaney?
A. I believe 23 right now.
Q. And were those 23 lawyers acquainted with your mother?
A. I would say not.
MR. FARRELL, JR.: I'll object to

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that question just because I think it's too broad. 23 lawyers. If you want to take them one by one and ask her.

MR. T. D. KAUFFELT: That's what I didn't want to do but.

Q. Of course, was your mother acquainted with all the partners in the firm?

A. Well, down to a certain point. Certain people have become partners in the past couple of years. I don't know whether my mom knew them or not. I believe she probably had met most of the people in the firm, more than that with a lot of them. I don't believe she's seen them except maybe at the office briefly or at a Christmas party or a picnic or something with the office.

Q. Did your mother tend to come by the office with any regularity?

A. No.

Q. Would you describe it as rarely?

A. Yes.

Q. Meaning how many times a year perhaps, just an estimate?

A. Three times.

Q. Do you have your own secretary or use a pool of secretaries?

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A. We have our own -- we usually share a secretary. Usually one for two lawyers.

Q. Did your mother know her?

A. Yes.

Q. Did you have any secretaries -- I was speaking of your current. Did you have a secretary before that?

A. No.

Q. So you've had the secretary all the time your mother knew her?

A. Yes.

Q. Did she know your father's secretary?

A. It's the same secretary.

Q. Oh, it's the same one. And what is her name?

A. Lois Harper.

Q. Did she work with the firm a long time?

A. Yeah. I can't say how long. I'm thinking it's more than 15, maybe 20 years.

Q. What employment did you have prior to the employment with Kay, Casto & Chaney?

A. With Legal Aid the summer before.

Q. Did you not mention that you worked for the Kay, Casto & Chaney between your junior

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and senior year of law school?
A. Right.
Q. So the next place you described as the Legal Aid work you did?
A. Right.
Q. When you were in college did you have a job?
A. In law school or in college?
Q. Excuse me, in undergraduate school.
MR. FARRELL, JR.: Let me interrupt. Are you asking during the school term or between school terms?
Q. Between school terms. I didn't make that clear and I apologize.
A. I know the summer after college, before law school I worked for two temporary agencies here in Charleston doing a week or two or three weeks at a time.
Q. Doing what?
A. Secretarial work some of it, others, there was some machine company or something I worked with helping with orders and inventory.
Q. Do you recall the names of the places you worked?
A. The temporary agency?

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Q. Yes. Where they sent you.
A. Oh, well, I don't remember the two agencies, although I know they're still here in Charleston. I worked for about three weeks at Columbia Gas and a month or so at Bird Machinery in Dunbar, and apart from that, it probably would have been one or two days at different places that I don't remember.
Q. What was your employment before the temporary agency?
A. I don't remember where or if I did anything then. I know I did before college. I worked at one of the hospitals in the dietary department.
Q. What was your function there?
A. Helping to load up trays and clean trays and that type of thing. And I can't remember if or where I worked those different years through college. During the year I worked at the school but in the summers I don't remember.
Q. Did you have a job at any time during high school?
A. I think just the one after high school before college.
Q. And that was the one -- I'm a little confused.

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A. At the dietary department at the hospital.

Q. Now, did you have a job during any college year?

A. Yes.

Q. Where?

A. At Denison. I worked three and a half of the years -- well, three years, I guess, because I wasn't there for one semester. I was a receptionist in the dorms.

Q. What did that entail?

A. Answering the telephone and taking messages, calling up to the rooms when people were there.

Q. And were you paid for that?

A. Yes. And then my fourth year, in addition to that I worked in the art library that they had or were trying to start which was keeping -- taking pictures and making slides and cataloging them.

Q. And what was your function there?

A. Well, they come out with a list of pictures or articles they wanted photographed and made into slides, and we would take those and, in addition, we'd pull out or put back in slides that different professors had used for classes that they were teaching.

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Q. Did you have to do something with photographic equipment or duplicating equipment to do that?

A. They had a piece of equipment set up with a camera facing down, and you would position the object or whatever underneath that and then just take the pictures using that, and that's about the only thing I did with different photographic equipment.

Q. And you were paid for that?

A. Yes.

Q. Is there other employment you had any time during the school year?

A. Not that I can remember.

MR. T. D. KAUFFELT: It's twelve o'clock. Should we break for an hour? Is that satisfactory, Mr. Farrell?

MR. FARRELL, JR.: That's fine.

(A luncheon recess is taken.)

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AFTERNOON SESSION

(The witness is sworn).

Q. Miss Haight, we'll resume if you please.

A. Sure.

Q. You have been recently sworn in this matter. Do you adopt statements you made as your testimony, that it is true and accurate to the best of your knowledge?

A. Yes.

Q. Miss Haight, when you were in school at Denison and you described where you lived there, was your mother in those apartments from time to time or those suites?

A. She was, like I said, I know she came to bring me over for my first year at Denison and would have been in the suite at that time. On subsequent years, if she came, she would be in the rooms, in the suites.

Q. Do you remember specifically whether she was there or not?

A. I believe, like I said, I know she came over the first time, the first year, and I seem to remember her having been there in one or two of the other dorms where I was because I moved every

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year. So I'd say that she was there at least two times in the dorms if not three or four.

Q. Did she visit you in your apartments in Morgantown when you were in law school?

A. I believe she came up at least one time to the apartment I was in my third year, but I don't believe she was up there any other time.

Q. Were you ever injured at any of the places you were employed from the time you first started working in the hospital up through the present day?

A. No.

Q. Can you give us your social security number.

A. [DELETED]

Q. Thank you.

Can you give us the name and address of the family doctor that you had as a child?

A. One that I remember is Dr. Dan Barber, and I don't believe -- if we had one any earlier than that, I can't remember or not, and he was the only family physician that I remember going to as a child and growing and even I think through high school.

Q. Do you know whether he's still living?

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A. No, he's not.
Q. While you were in grade school, did you miss many classes because of illness?
A. I don't think so. I mean, I'm sure I had some childhood illnesses in there, but I don't remember any excessive absences.
Q. Would you say that's true also as to junior high?
A. Yes.
Q. And high school?
A. Yes.
Q. Have you ever had any viral infections that you recall?
A. No.
Q. Have you ever had any lung problems?
A. I had a chest cold of some kind about a year or so ago that they said was almost walking pneumonia, but that's the only time when that's been anything of issue.
Q. You ever had asthma?
A. No.
Q. TB?
A. No.
Q. Have you ever had any tumors or cysts of any kind?

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A. I had an ovarian cyst. It was removed.
Q. And that's all, that sort of thing?
A. Yes.
Q. Have you ever had cancer?
A. Not that I know of.
Q. Are there doctors you have been treated by since the death of Dr. Barber?
A. Yes.
Q. Who are they?
A. There's probably a dentist in there, the campus doctor -- I have no idea what his name was -- for colds and things like that.
Q. Was it the same doctor all four years you were there?
A. The only times I ever went there it was the same doctor. I don't remember going there more than maybe once or twice. I went to Dr. Farmer, he's a dermatologist, for a couple of months and now go to Dr. Hawkins, and I had Dr. Dan Mairs as OB/GYN, and now I go to the Charleston OB/GYN Group and the doctors vary.
Q. Why did you go to a dermatologist?
A. Acne.
Q. Do you still have treatment for it?
A. I still go back every year.

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Q. When you were working at the hospital, were there any restrictions on smoking at that time?

A. As I remember, yes, there was, because you were around food and they had hairnets, and certain things like that they restricted to certain areas where the employees could go.

Q. Did you have any allergies while you were living at home?

A. No. There's some question that I may have developed one to poison ivy. I didn't have that as a child, and it may have been developed later, but that's the only thing.

Q. That's the only one you know of?

A. Yes.

Q. Are you taking any medication at this time?

A. Sometimes tetracycline. Again, through the dermatologist.

Q. That's all you had occasion to take?

A. Yes.

Q. Now, when you were at Morgantown, was there a campus doctor that you consulted?

A. It would have just been the clinic or whatever they have over at WVU.

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Q. Were there many times?
A. I don't believe so. Maybe once or twice.
Q. For what reasons, do you recall?
A. No. Maybe one time for a cold. I don't really remember.
Q. Did your mother have any nicknames?
A. Not that I know of.
Q. When you were growing up, did the family have domestic help?
A. We did for awhile. I don't know when we started having somebody there. There was a woman named Jackie -- I don't know her last name -- who was there I remember as far back as I can remember who helped out around the house doing things.
Q. How often was she there?
A. Say once a week, but I don't really remember. And then when we -- I think she was there at least until we moved from Staunton Avenue to Kanawha Avenue, and then at Kanawha Avenue we had a couple of people there maybe for a year or so but none after that until the past year.
Q. What is the first place you remember living?
A. 4601 Staunton.
Q. And you moved from there at what year,

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do you recall?
A. It was somewhere between when I was between around 9 and 12, and it's kind of blurry to me exactly when we moved. But I remember living on Staunton and going to grade school from there, but I don't really remember at what point we had moved.
Q. Did your grandmother live with you at some time?
A. No.
Q. You don't remember her living there. Is that correct?
A. Well, my father's mother died before I was born, and my mother's parents did not live with us that I remember.
Q. When you were living on Staunton Avenue, do you recall where you purchased your groceries, the family purchased their groceries?
A. I think there was an A&P or something similar to that on MacCorkle which then became an S&H Green Stamp store or something. It's up on the -- it was about four or five blocks from the house. That's the place I remember going.
Q. Who normally did the grocery shopping?
A. My mother.
Q. Did you ever do any of it?

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A. When we were on Staunton?

MR. FARRELL, JR.: Are you asking on Staunton Avenue?

MR. T. D. KAUFFELT: Yes, on Staunton. I'm sorry.

Q. When you were on Staunton did you ever do any of it?

A. I may have gone with her, but I don't remember going on my own.

Q. How old would you have been when you moved from Staunton Avenue to Kanawha Avenue?

A. Guessing about 10 or 11. Maybe a little younger, maybe a little older. I think it was somewhere in there.

Q. Did the place where your family purchased groceries change after you moved to Kanawha Avenue?

A. Yes. There was a grocery store I think up on 52nd Street and it's no longer there. We would go there. That's before they put in one that's now on 50th Street. It's a Foodland. It was a Big Star, but before they put that, there was another one up at 52nd Street.

Q. Was that where your family normally purchased the groceries?

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A. Yes.

Q. Now, between the time you moved there and the other places you lived, did you do some of the shopping?

A. Some of the time.

Q. Did you have occasion to purchase cigarettes there for your mother?

A. I don't believe I ever did. It was more I'd go up and get a gallon of milk if we needed it or bread. She did most of the main shopping, and I would go up if we needed some other things and I don't ever remember getting two or three baskets full of food.

Q. Was this during a period of time after you could drive a car, or did you sometime go on a bicycle or walk?

A. Probably all of those.

Q. At various times?

A. Yeah.

Q. Do you recall where your parents had their dry cleaning done?

A. As far as I remember, it was at Freeman's Cleaners.

Q. Where was that?

A. Up in the maybe 5300 block or 5200 block on

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MacCorkle in Kanawha City.

Q. Did you have occasion to go there?

A. Sometimes.

Q. Do you recall where your parents shopped, or what drugstore they used to purchase drugs and type things that are sold there while you were on Staunton Avenue let's say?

A. I don't remember when we were on Staunton.

Q. What about when you were on Kanawha Avenue?

A. There was, I think it was a Rite Aid or may have been a Revco for awhile in the 4400 block or 4300 block of MacCorkle.

Q. That was the normal drugstore as far as you remember?

A. As far as I remember.

Q. During all that period that you were growing up?

A. Yes.

Q. Do you recall where your parents shopped for hardware? Was there a hardware store you recall during the period you were growing up?

A. Not that I remember. I'm sure there was but I have no idea what it was.

Q. While you were living either on

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Staunton or Kanawha Avenue, did you notice any noxious odors or pollution that you remember?

MR. FARRELL, JR.: Let me object at this point to the form of the question. Are you asking at the home site or any time during that period of her life?

MR. T. D. KAUFFELT: At the home site.

A. The only thing that I may remember. I have something I'm not sure what this is. There was a creek that ran along side the house on Staunton, and I seem to remember one time there was a strange smell or odor that came from it. That may have been maybe for a week or something. I have no idea what it was or anything else. But that's the only thing I really remember.

Q. Did you notice any smell that you attributed to coming from the chemical plants?

A. Not that I specifically remember.

Q. Did you discuss with anyone the potential health effects of environmental pollution?

A. When?

Q. During the period you were living on either Staunton or Kanawha Avenues?

A. On Kanawha toward the last -- probably in

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the late seventies and eighties that had become more of an issue, and Charleston being in the chemical valley or whatever they call it, I mean, that has been discussed just because that's where we live, but I don't remember specific discussions other than if there was something on TV that it was discussed.

Q. Do you specifically remember anything on television that might have brought it to mind?

A. I seem to remember a few occasions when there were some, I don't know if it's air indexes or pollution indexes or some measurement of either that level in the valley or fog or smoke settling over the Kanawha Valley on a few occasions.

Q. Did you ever discuss that situation with your mother?

A. I'm sure we talked about it. I mean, the whole family did if something like that came up.

Q. Do you recall your mother's comments about the pollution that you have described?

A. No, I don't.

Q. During your growing up while you were living with your parents on either Staunton or Kanawha, who would you describe as your mother's best friends?

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A. I'm sorry, Kanawha?

Q. On both, either Kanawha or Staunton.

A. I know Betty Perkins and Judy Alexander have been friends of my mom for years before I can remember.

Q. Where did they live?

A. Mrs. Perkins lived in the 4600 block of Noyes, and Judy Alexander did live in the 4400 block of maybe Staunton or Noyes. Maybe farther up from there but about six blocks away.

Q. Did your mother see those people frequently?

A. Yes.

Q. How often?

A. I think it would vary. When we were growing up I think I said before there were several Perkins children that were the same age as my brother and sister, and I know there was a lot of car-pooling and doing a lot of things with us that -- she and my mom spent a lot of time together through that. I don't think I can pinpoint. I don't think it was like necessarily once a week all the time. May have been more frequent than that at times or not for a couple of months or something. I think they talked on the phone every

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couple of weeks.

Q. What about Mrs. Alexander, how often?

A. Probably the same with her. She and my mom used to give each other permanents, and that would be every couple of weeks back and forth.

Q. Now, do any other close friends occur to you while you were living on Staunton Avenue other than the two you have mentioned?

A. Apart from family? Because I know mom kept in touch with Caroline Chaney for family reasons. I remember the names of Rita and Bill Steed from when we were little and Mr. and Mrs. Jones, and I don't remember their first names right now. They all had children our age or a little older.

Q. Are you in touch with their children at all?

A. No.

Q. Would these people you have described as friends and neighbors around Staunton Avenue at the moment, would they visit back and forth, would you visit in their home and they in yours from time to time?

A. Yes.

Q. Now, were there neighbors on Kanawha Avenue that you recall as particular friends of

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your mother or father?

A. Not specifically other than the Hatchers down the block had children that overlap in our age, so there was some car-pooling and we would be down there -- at least the children would -- or they'd be up at our house, and they knew the next doors neighbors, but I don't think saw any of them apart from just because they were in the neighborhood.

Q. Did your mother maintain her relationship with the Staunton Avenue neighbors after they moved to Kanawha Avenue?

A. Yes.

Q. Substantially the same?

A. Yes. I mainly remember from Kanawha Avenue more than from Staunton.

Q. How often would she see those friends after you moved to Kanawha Avenue?

A. At Kanawha it was less frequently than on Staunton because on Staunton we lived across the alley from the Perkins. I was mainly talking about my memory from Kanawha Avenue from how often they saw each other. Because I know we were probably -- The children were probably at the Perkins everyday when we lived on Staunton and

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vice versa.

Q. You mentioned your mother kept in touch with her sister Caroline Chaney. How often were they in contact?

A. It would vary. They would be in contact by telephone every couple of weeks. They wouldn't go out and necessarily do anything together, but would just keep in touch with how Aunt Caroline's family was doing and how we were doing.

Q. Do you recall Peg McCulloch Philips as a friend of your mother's?

A. Yes. At least Peg Philips.

Q. Peg Philips.

A. I remember the name and the person but not having really seen them maybe once or twice.

Q. So did you know the relationship with your mother?

A. Other than they were friends, no, I don't.

Q. Do you know where she is now?

A. No.

Q. Did she have children that you knew?

A. I don't think so or else they were a lot older than us. I don't really know.

Q. Do you recall Charles E. Mottesheard, Charley Mottesheard?

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A. No.

Q. Don't know them?

A. Not from that time period. The names are familiar, but I don't remember the people.

Q. Now, you mentioned William Steed and his wife Carol. Do you recall them?

A. I think it's -- I just have vague memories of being at their house and them being down at our house but nothing specifc. Again, I recognize names and that I've known the names for a long time.

Q. Do you recall whether they had children?

A. I believe they did.

Q. Are you in contact with any of them?

A. No.

Q. Were they children you had contact with during the years you were growing up on Staunton and Kanawha Avenue?

A. I think but it would have been only a couple of times a year. I mean, they weren't people we saw regularly like the people in the neighborhood.

Q. Now, did you know George and Vivian Sharp during the years you were growing up?

A. Yes.

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Q. Were they visiting in your home?
A. Yes.
Q. How often?
A. I know they were down on -- at least during one holiday, one New Years, but I don't remember on Staunton, at least, how often they came by. I know we went up to their house several times on holidays, and I believe my parents would see Mr. and Mrs. Sharp outside the home. Not visiting between them, going out socially. But I just remember going back and forth maybe on holidays or a couple of times a year.
Q. Did you know their children?
A. Mainly the youngest one.
Q. Are you still on friendly terms with that child?
A. When I see her. I mean, we knew each other, but we weren't friends running around together.
Q. What was her name?
A. Dana.
Q. There were other Sharp children, were there not?
A. Yes.
Q. You knew them or did not know them?
A. I knew them. They were older than we were

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so we saw them only on holidays.

Q. Do you know their names?

A. Lindsey Anne and Wade.

Q. George Sharp is a partner in the law firm where you work and has been a partner of your father for a long time. Is that correct?

A. Yes.

Q. Did you know Bonnie Legg?

A. I don't believe so.

Q. I believe you already mentioned Bill and Rita Jones. Where did they live in relationship to your Staunton Avenue home?

A. I'm not sure. It wasn't right there in that neighborhood.

Q. Was Mrs. Jones a friend of your mother's?

A. Yes.

Q. Was Mr. Jones also?

A. I believe so. They moved away from here I believe sometime when I was in my early teens or something. I remember them being here, and they had two boys that we did see for a few years that were friends of ours, but after that I don't really remember seeing them.

Q. Do you recall the boys' names?

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A. Doug and Kevin, I think.
Q. And were they in your home from time to time?
A. Yes.
Q. And you in theirs?
A. Yes.
Q. Can you give me the names and addresses of the Perkins children?
A. I can probably guesstimate on -- there's four of them, two that were our ages. Do you want all four of them?
Q. If you can.
A. They're going to be general, but the oldest is Pat Perkins. I can't remember her married name. Now she lives in South Charleston. Rick Perkins is here in Charleston somewhere. I mean, I'm sure he's in the phone book. David Perkins is now in the D.C. area. I think maybe in Virginia. I mean, I have their addresses somewhere.
Q. You do have their addresses, and could we have them if we would ask you at sometime?
A. Yes. And then there's Polly Paxton or Polly Perkins Paxton, and she lives in St. Albans.
Q. P-a-x --
A. T-o-n.

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Q. -- t-o-n. Do you recall the names of the Hatcher children?
A. A couple of them. There were about seven or eight. Alexandria was my age. And Heather.
Q. Where is she, do you know?
A. I don't know. She was in Charleston and I'm not sure where she is now.
Q. The next one is Heather?
A. Heather Hatcher was my sister's age, and I don't know where she is. And there was a Burkes Hatcher. He was between my sister and brother, I think, in age and he was in Charleston but I don't know where he is now. The others are older ones. Mary Virginia and Linda, and I can't remember any of the others. They were all older.
Q. Do you know, you have mentioned five. Do you know where they are located?
A. No. Not now. I believe their parents still live on Kanawha Avenue.
Q. Did you visit in the Hatcher home?
A. Yes.
Q. And those children were in your home from time to time on Kanawha Avenue?
A. At least the three youngest.
Q. Did your parents visit in their home?

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A. I don't believe so.
Q. Or they in your parents'?
A. I don't believe so.
Q. The Hatchers knew your parents, did they not?
A. Yes.
Q. Did all of those children, did all of the Perkins children and Hatcher children know your mother?
A. Yes. Well, I can't say for the older Hatcher children. I don't know. But the three youngest that were closest to our age did and then all the Perkins children did.
Q. Whether Mary Virginia and Linda did, as far as the Hatchers are concerned, you don't recall?
A. No.
Q. Are you familiar with the fact that your mother did volunteer work from time to time at Charleston Memorial Hospital?
A. I believe she did several years back. I don't recall when exactly, but I think she did it - was an auxilliary person for a couple of years.
Q. You don't have a time frame for that? Was it while you were in school, high school?

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A. Possibly junior high, high school. That time frame. I'm not sure what years.

Q. Do you know what she did there at the hospital?

A. Not exactly. I was a candy striper down there for awhile so I had a general idea what the auxilliary people did, but I wasn't there when she was.

Q. And you don't recall discussing it with her?

A. No.

Q. Do you recall that your mother took part in PTA activities while you were in school?

A. Yes.

Q. And what's your first memory of that?

A. Something connected with Chamberlain Elementary, and I think more of it started as each of us got into school rather than when I first started. I just remember her doing things like as a homeroom mother or bake sales or if we went -- or needed somebody to help chauffeur us to different places for school outings or something. I don't remember exactly the first time I remember her doing it.

Q. You think she did it in grade school,

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though?
A. I think so.
Q. What about junior high school?
A. I'm not sure. Because my sister was still in grade school then, and I'm not sure what all she was still doing with the grade school.
Q. What about while you were in junior high?
A. I don't really remember.
Q. High school do you recall?
A. High school just, you know, to the extent of helping out with the mascot thing, car-pooling. She always did that. But otherwise I don't remember anything specific.
Q. During what periods were you a candy striper?
A. Probably 13 through 16 or something like that.
Q. What did you do as a candy striper when you went to help at the hospital?
A. Worked in the snack bar taking orders and fixing sandwiches or drinks or whatever and then later delivering flowers to the rooms.
Q. Did you do it regularly between 13 and 16?

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A. At least for a year, year and a half or two years in there it was pretty regular.

Q. And how often would you go in a week?

A. Maybe once every two weeks.

Q. For what period of time?

A. Two hours I think.

Q. Do you recall your mother doing volunteer work for the Red Cross in connection with the Blood Mobile?

A. That I don't remember.

Q. Do you know whether your mother worked at sometime before you were born?

A. From what she's told me, yes.

Q. Where did she tell you she had worked?

A. She worked as a -- I don't think it was quite a nurse but worked in a doctor's office, I believe, as a receptionist/clerk of some type. I don't recall when that was other than it was before we came along.

Q. Do you recall the doctor's name?

A. No, I don't.

Q. We mentioned that your mother took part in various PTA activities at various times when you were in school. Do you recall the name of other people involved in those activities?

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A. I'm sure Mrs. Hatcher was and probably Mrs. Perkins. I know that Dodi Sharps was involved with PTA stuff when my sister was in school because her son Rick was my sister's age.

Q. Sharps?

A. S-h-a-r-p-s.

Q. Where did she live?

A. Kanawha City.

Q. Do you recall his name?

A. Gordon Sharps.

Q. You mean the son or -- the father?

A. Gordon Sharps.

Q. And are you in contact with them at all?

A. Yes.

Q. Do they still live in Kanawha City?

A. Yes.

Q. And were they close -- they friends of yours to this time?

A. They have become friends of mine since I met my husband. I knew their son Rick just as a friend of my sister's and didn't meet his parents until after I met my husband.

Q. Were they friends of your mother's?

A. Mrs. Sharps I would say yes because they

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worked in a lot of stuff with the school with the children. I don't know how close. I don't remember her ever being at the house when I was still there.

Q. Do you remember your mother ever mentioning that she was at their home?

A. No.

Q. Do you recall any others involved in school matters with your mother?

A. Possibly Mrs. Cartmill, and I don't remember her husband's name.

Q. Cartmill?

A. Cartmill. She had a daughter named Becky who was my brother's age, and I remember Mrs. Cartmill doing a lot of things with the school.

Q. At Chamberlain?

A. Chamberlain and then later. I think she helped with the mascot uniforms and things also. She's in Kanawha City.

Q. And she still lives there?

A. As far as I know.

Q. All of those people you mentioned knew your mother?

A. Yes.

Q. Now, did you have other homeroom

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mothers while you were in school who were acquainted with your mother?

A. I'm sure we did, but I'm not sure I can remember any more of them.

Q. Can you recall the names of any of your teachers, grade school through high school, who were acquainted with your mother? Let's think first of grade school.

A. Apart from them knowing my mother, I think, because all three of us went through grade school there, the only person I remember my mom talking to or seeing after that time period was Mrs. Rogers who was the principal. Other than that, I don't know if they knew any of the other people apart from the fact they were our teachers.

Q. What about at Horace Mann Junior High School?

A. It would be the same thing there.

Q. And Charleston High School?

A. As far as I can remember, she just may have known the people, having met them from a parent/teacher conference or something like that, but I don't believe she knew any of them outside the school system.

Q. Did your parents take vacations

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regularly while you were a child through high school let's say?

A. As far as I remember we usually went somewhere every summer for a week or up to two weeks. When we were real small we went to Florida. That I vaguely remember. And then after that when I was -- probably after we moved to Kanawha Avenue, whenever that was, we would go down to Cape Hatteras area I think every summer for at least a week.

Q. Did you go to Myrtle Beach at sometime?

A. Did I or did the family?

Q. Did you go with your family down there?

A. Not that I recall.

Q. Did they go there?

A. Not that I recall. They may have or I may have when I was younger or don't remember. I remember going to Cape Hatteras and Florida and that's all I can remember.

Q. Did you use the recreational vehicle that your parents own?

A. Once -- first time I remember having it was on Kanawha Avenue and then we used it whenever we

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went. Before that when we'd go to Florida, we didn't have one. We stayed at a cottage or something down there.

Q. When they owned the recreational vehicle did you live in it while you were on vacation?

A. Yes. Most the time unless we stopped to visit with people in which case we may spend the night in their house or the motor home.

Q. Did you have a regular place a stay when you went to Cape Hatteras?

A. Yes.

Q. Could you tell us what that was?

A. No. We went to the same one every year, but I can't remember the name of the campgrounds.

Q. That was when you had the recreational vehicle?

A. Yes.

Q. And you went to a campground and parked it and had your vacation from that location?

A. Yes.

Q. Can you recall a street it might have been on or anything about that?

A. Just down there there's a long strip of hardly anything or even houses, and I don't

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remember what it was near other than it was in the National Wildlife Sanctuary. I think that's what it's called down through there. I don't really remember what mailing address it even would have had.

Q. Who would drive the recreational vehicle?

A. Most of time my father.

Q. Did your mother ever drive it?

A. A few times.

Q. For short distances or generally?

A. Probably short distances. Usually my father did all the driving.

Q. When you were driving in an automobile with the family, did your father usually drive then, too?

A. That I can't remember.

Q. At what age did you stop taking these trips with them?

A. I think it was somewhere through college. Maybe the first or second summer after college. I can't remember. Somewhere in there that we stopped and I'm just not sure at what point we all, the children all stopped going along.

Q. When you went to Florida, did you go

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in a recreational vehicle?
A. We did one time that I remember going along also. I believe they went after that, after we stopped going. I know they went to Florida. My parents did several times with it. The time I remember when we were small we did not have a recreational vehicle.
Q. And how would you get there?
A. I think drive. It seems to me one time we may have taken a train but I may be wrong.
Q. Your mother did drive an automobile. You indicate she was a licensed driver?
A. Yes.
Q. Did she drive frequently?
A. Yes.
Q. Under what circumstances generally?
A. I think going to the store. Like I said, she was involved with car-pooling, so during the morning or afternoon to pick us up from school and at night taking us to different things before we could drive. Just day-to-day driving.
Q. How long did your mother continue driving to your knowledge?
A. Probably a month or month and a half before she died. She would not drive by herself at the

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very end. She always wanted somebody with her, but she kept driving I think until about that time.

Q. And were you with her from time to time?

A. Maybe once or twice.

Q. Did your mother enjoy sports?

A. Not that I know of.

Q. Did she engage in any tennis, golf, that sort of thing to your knowledge?

A. Not active sports like that that I know of. She may have when we were small or before we were born. I don't remember her doing anything like that.

Q. Did she watch sports on television or was she interested?

A. She may have watched tennis, but that's all I really remember.

Q. What would you say were your mother's primary leisure activities?

A. I'd say gardening for a long time and then between that or crossword puzzles. She did a lot of that. But she did a lot of gardening during the summertime.

Q. What kind of gardening?

A. Tomatoes and green peppers, broccoli. I

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mean just a family garden out in the back and she had a lot of house plants.

Q. Did she raise flowers also?

A. Not too many. She attempted a rose garden. It didn't work. I think the only flowers she had would have been some around the house, the bushes or whatever decorated around the house, the outside of the house.

Q. Did she use fertilizers, insecticides, that sort of thing in gardening?

A. I know she used whatever the spray for tomatoes that you get that's a white spray. I know she used that on tomatoes. Other than that, I know she used something to fertilize but I don't know what it was.

Q. Do you know the brand of the fertilizer or the tomatoe dust that she used?

A. No, I don't. The only thing I remember about the fertilizer is that it was in a huge sack of some kind like peat moss or something like that.

Q. There was a swimming pool at Kanawha Avenue, was there not?

A. There was one built after we moved in.

Q. It was built after you bought the home?

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A. Yes.
Q. Did you enjoy using the pool?
A. Yes.
Q. And while you were growing up at that address did you use it frequently when it was filled?
A. Yes.
Q. Did your mother enjoy the pool?
A. Neither she nor my dad used it a lot, but my mom sat out by the pool an awful lot, so to that extent, I don't know whether she was enjoying the pool area or the fact of the pool. She sat out there a lot during the daytime and I know she swam in it. I don't think everyday.
Q. Who took care of the pool?
A. Day-to-day mostly my mom. She could get one of the kids to douse it or whatever. Or clean out the skimmers and then as to vacuuming or cleaning out the bottom, either mom or dad.
Q. What were the day-to-day things you have to do to the pool?
A. Put chlorine in it and --
Q. How did you do that? What was the --
A. We had a large drum of HTH on the back porch that we had to scoop and the thing that you just

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filled it and put it in the pool, the amount depending on how many people had been swimming and what the water looked like.

Q. Was there a way to test the water to determine if it needed it?

A. I think there was. I never tested it. I think my father did and my brother may have.

Q. Other than that, what else had to be done to the pool?

A. Skimming the leaves off the top, mowing the grass around it and like that. For the pool itself, the only thing I remember doing is putting the chlorine in it.

Q. Did your brother and sister enjoy the pool?

A. Yes.

Q. Use it as much as you did?

A. Some of them probably more than I did sometimes.

Q. Do you recall the name of the material, the chlorine that they used in the pool?

MR. FARRELL, JR.: She already testified it was HTH.

MR. T. D. KAUFFELT: I was thinking that's a chemical name.

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Q. That's the brand name or what's on the package?
A. All I remember is a drum on the back porch that said HTH on it or that's what I knew it was. I don't remember a brand or anything else on it.
Q. Do you know anything about your mother's activities for the American Cancer Society and the Crippled Children's Society?
A. No.
Q. Do you know whether she did take part in those things?
A. No, I don't.
Q. Did you have a television set in your home as long as you can remember?
A. Yes.
Q. Did your mother enjoy watching it?
A. Yes.
Q. Did she watch it with the children?
A. Well, I can't say that she watched it all the time because the TV was in the kitchen living area and she might be fixing dinner or doing things when it was on. Programs we might have been watching.
Q. Do you recall the programs that she enjoyed, let's say when you were in grade school?

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A. No.

Q. What about junior high?

A. I don't think I could even tell you what was on at that time.

Q. Or high school?

A. If Mash was on then, she enjoyed that. That probably would have been that time period. She liked that and the Bob Newhart Show, Mary Tyler Moore in during that time period, if that's -- I'm not quite sure where that fits in to how old I was or anything else.

Q. Do you remember whether she had ever watched the Fred Allen Show?

A. I don't remember.

Q. Dave Garroway Show, is that familiar?

A. No.

Q. Sid Caesar Show of Shows?

A. I remember she talked about it, but I don't remember it being on.

MR. FARRELL, JR.: I would suggest those shows predate this witness's birth.

MR. T. D. KAUFFELT: That's true.

Q. What did she say about the Sid Caesar Show?

A. I may be wrong but I think she said it was

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the first variety type show and she had enjoyed it. It had a lot of different things, different people on it but that's about all I remember.

Q. Any other shows that come to mind of that type that your mother particularly liked and that she mentioned to you?

A. Not that I can remember right now.

Q. Did your mother listen to the radio from time to time?

A. Not that I really remember because we lived in the kitchen and the TV was probably on 80, 90 percent of the time.

Q. Do you recall your mother mentioning any radio programs that she particularly enjoyed?

MR. FARRELL, JR.: Are you asking about her mother listening to radio programs as a child herself /HES that she reminisced about or during this witness's life?

MR. T. D. KAUFFELT: Let me clarify.

Q. Do you recall during the period you were in grade school and junior high school that your mother had particular radio programs she listened to?

A. No.

Q. When you were in high school?

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A. No.

Q. Do you recall that she reminisced in any way about radio programs that she heard when she was younger?

A. I know she talked about Burns and Allen, but I can't tell you what more than that, that she remembered listening to that program, and I'm sure Amos and Andy in that time period. I don't remember whether she liked them or didn't. I remember her saying she listened to them as she was growing up, but I don't remember anything more specific.

Q. Did she listen to news programs?

MR. FARRELL, JR.: What time frame are you referring to?

Q. During the time you were in grade school and junior high school.

A. On the radio again?

Q. On the radio.

A. I don't know.

Q. What about in high school?

A. I don't remember that either.

Q. Let's go to television for a moment. Did she enjoy news programs on television?

A. You're referring to like nightly news?

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Q. Yes, the nightly news.
A. I think she did. I mean, when we watched them, she would prefer one channel over another, for example.
Q. Do you know which one she preferred?
A. No. I'd be guessing. We seemed to have Walter Cronkite on all the time so I'd say him, but that's only from that's what was usually on.
Q. Would you say that was the family habit from the time you remember until you left home to watch the evening news on television?
A. Yes. I would say most the time it would be on and that would be right after dinner.
Q. Did they watch things like the public affairs and news programs like 60 Minutes, White Papers?
A. My mom watched 60 Minutes. I don't know about my dad. I know mom did. And other than that, I don't remember her watching any other ones other than 60 Minutes.
Q. Did your mother enjoy reading the newspapers?
A. I could say she read them. I don't know if they enjoyed reading them or not.
Q. As long as you remember did you take

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the morning and evening paper and she read them just as far as you're able to say?

A. Yes.

Q. What magazines did you take in your home that you recall from the time -- as long as you can remember back?

A. I seem to remember, I can say that, because Time has been around the house as long as I can remember, and Life was for awhile and again got started when it came into existence again. The New Yorker, I remember we got that. I can't remember any other ones. I think there were some mechanics magazines my father got, but I don't think my mother read them.

Q. Did you read Reader's Digest?

A. I remember Reader's Digest being around but not necessarily at the house.

Q. You remember it being around, you say. What do you mean?

A. Doctors' offices and things where we went I remember it being around as long as I can remember, but I can't say I remember it in the house.

Q. Did your mother purchase books or borrow books from the library that she enjoyed reading as you remember her?

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A. We had a lot of books in the house. I don't know if they're ones that my mother purchased or father or both. There were a number of -- I guess mom must have bought them. I mean, I don't know where they came from but ones that she read, yes. Where they came from, I'm not sure.

Q. Are you able to say during the years you were growing up how much time your mother was able to spend reading?

A. Probably couldn't because I don't know what she did during the day when we weren't there. She would maybe read in the evening sometimes, and on weekends in the morning.

Q. Did your mother have any hobbies that we haven't discussed?

A. She sewed. She made a lot of the clothes for my sister and I and even for my dad and brother. I don't know when she started doing rug hooking and making afgans. We went through a period we were all doing rug hooking work.

Q. I think you mentioned she did crossword puzzles and enjoyed that?

A. Yes.

Q. Do you recall that starting at an early age with you as you look back?

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A. As long as I remember she's done them. I don't remember a specific time when she started.

Q. Did the children help out with the household chores?

A. Yes.

Q. At what age did they normally start that sort of thing?

A. I'm not sure. I mean, it was always a thing of cleaning up your room and helping with the dishes and that. I don't know -- I don't remember it starting at a specific age, when you turned seven you had to do the thing. My mom still did most of it anyway because I think we were typical children and didn't always clean up the way she wanted it done. But, I mean, we were told to clean up after ourselves and straighten up the room. I at least remember all that from Kanawha Avenue.

Q. Did the children ever help with the painting and things of that sort?

A. My brother did. He helped out with different things around the house I think more than my sister and I did.

Q. Did your mother do painting?

A. Yes.

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Q. Inside, outside or?
A. Inside I know she did. Outside I don't know.
Q. During what time frame would that be that she was doing painting inside that you remember?
A. I know she did it when I was maybe 15 or 16 because when I was away at camp she had redone my room and painted it and put new carpet or had carpet put in, but she painted that and painted my brother's bedroom probably around that same time or a couple years after that. And I think she did some stuff in the kitchen, doing the ceiling.
Q. Did your mother ever paint as a hobby, paint pictures?
A. I don't think she painted. I think she used to sketch, from what I remember. I know I've seen drawings that she had done.
Q. Did your mother ever refinish furniture?
A. I know she worked on doing that with at least one spindle bed that my grandmother had had. She may have done others. That's the only one I recall right now.
Q. Do you recall what she did when she was doing that?

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A. She was taking off the paint or varnish or whatever had been on it and trying to strip it down.

Q. How did she go about that?

A. I can't tell you for sure. All I know she had it down in the basement on some newspapers and had some rags and some kind of cleaning fluid. I don't know what it was. And sand paper, I know she had that.

Q. Did your mother enjoy cooking?

A. Yes.

Q. Was she a good cook?

A. Yes.

Q. Any particular style of cooking that she did more than others?

A. I don't think so. I mean, she didn't do Chinese cooking that I remember or anything, but it was just all varied.

Q. Did your mother have a habit of exercising?

A. Yes.

Q. What did she do?

A. She did -- I don't know what kind of -- what you'd call them, sort of like stretching exercises with one foot up on the kitchen counter and do

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some stretching and toe touches, maybe some bending at the waist. I remember her doing some things like that. I don't know if she did anything else. I just remember that from in the mornings.

Q. Did she do that habitually?

A. I believe so. She didn't in the last couple of years, but up until that time, she always did.

Q. Did your mother enjoy playing cards?

A. She played Solitaire quite a bit or did when I was probably in junior high age, and I believe she and my father played Bridge before I can remember, but other than that, other than playing card games with us, I don't remember her doing other things.

Q. Your memory, you don't remember them playing Bridge. Is that correct?

A. I sort of remember them going out at night to do that, but it's just real vague memories.

Q. During the period in which you have a clear memory of that, they didn't play Bridge?

A. No, they didn't.

Q. Did they attend dances while you were young?

A. I think they did when we were real young,

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but it may have been that or just going out to dinner. I remember them getting dressed up and going out. Where they were going -- that would have been when we were still on Staunton so before I was ten maybe, and that's real vague.

Q. After you were ten, do you recall them going to dances?

A. Yeah, I think maybe -- well, maybe not. They may have had gone to some of the Bar dinner dances. Kanawha or State Bar Dinner Dances. Other than that, I don't think she did.

Q. Did you ever hear them discuss people they played Bridge with?

A. Yes, but I can't think of who any of them were. They may be some of the names we've mentioned already earlier this morning. Otherwise, I can't really think of anybody.

Q. Did you say you played cards with your parents from time to time?

A. It would have been with my mom, playing Spades. I guess that's a limited version of Bridge and then just kids games of Fish and Rummy. I guess we used to play Rummy a lot.

Q. How long did that go on?

A. Through high school.

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Q. Did she enjoy it?
A. I think she did. She used to beat us.
Q. Was she competitive?
A. In that.
Q. Did you ever encourage your mother to take part in those leisure activities, one way or the other, to take part or not take part?
A. In what leisure activities?
Q. The ones we've mentioned, hobbies, Bridge, gardening?
A. I know as we got older we kept -- we meaning all the children -- that I remember kept telling them they should go out more. But I don't remember them doing that or playing Bridge more. The other things, other than getting her into card games, we didn't encourage or discourage.
Q. Why did you encourage them to go out?
A. I guess because we were always going out and they always seemed to be staying home and that didn't seem to be fair. It wasn't any specific, they have to do it. It seemed to me that they had spent most of their time at home the whole time we were growing up and as we were getting older they should start doing more things.
Q. Who was your mother's best friend?

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We've mentioned a lot of names. Who fits that category, anyone?

MR. FARRELL, JR.: Want to put a time reference on that. That's the third time we've asked that and each time we've had a different time frame.

MR. T. D. KAUFFELT: Let's put a time frame --

Q. While you were in high school.

A. The only names that keep coming to me are Mrs. Perkins and Mrs. Alexander. That I just remember for years being there. I'm sure there were other people, particularly other mothers of children we were in school with that had been interspersed in there. I can't --

Q. But those two would fit that category better than anyone else?

A. In my mind.

Q. Do you know in your mother's work around the house whether she ever had occasion to use cleaning solutions?

MR. FARRELL, JR.: You want to define cleaning solutions.

MR. T. D. KAUFFELT: I'm thinking of something like a strong soap, Spic and Span.

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MR. FARRELL, JR.: Household cleansers?

MR. T. D. KAUFFELT: Maybe that's a better word.

A. I remember her using things like Mr. Clean or Spic and Span, cleaning things around the house. She did a lot of that. Furniture polish, dusting rags. There's all kinds of different things she did use for cleaning the bathroom or different parts of the house.

Q. What about spot removers and lighter fluid and that sort of thing, were they around the house?

A. I'm pretty sure lighter fluid was, because I remember the cans about six inches high.

Q. Did your mother use a cigarette lighter rather than matches?

A. Yes.

Q. Did your mother ever mention the fact that her father had worked around the mines from time to time in his lifetime?

A. Yes, to the extent of I know he did other things, but I remember especially when he grew up in Mayormount (phonetic). I remember her talking about that. I don't remember what my grandfather

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did specifically.

Q. Was it ever mentioned that he worked in some type of mine in New York before, perhaps even before she was born or at the time she was --

A. I know they were in New York or she was born in New York, but I don't know what my grandfather was doing.

Q. Did your mother ever work on the cars in any way?

MR. MR. FARRELL, JR.: You talking about motors?

MR. T. D. KAUFFELT: No, I'm speaking generally.

A. She cleaned them some of the time.

Q. On the inside and outside?

A. Outside I remember. Inside I'm not sure.

Q. She ever do any of the mechanical work about the car?

A. Not that I know of.

Q. When she cleaned the outside of the car, did she wax it or use any product on it?

A. I don't remember her doing that. I can remember her washing it with the hose, and I don't remember anything else.

Q. Did your mother use aerosol sprays of

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any kind?

A. She used hairspray, if you're speaking of that.

Q. Yes. I'm speaking of that type of thing. Did she use air cleaners that were aerosol?

A. Not that I remember.

Q. Deodorants?

A. I don't really know what she used.

Q. Did you ever see her use a spray paint?

A. No.

Q. What do you remember about your mother's sleeping habits during let's say when you were in junior high school?

A. I can't really narrow it down to whatever time frame. I can tell you what I remember as her general sleeping habits at least up until the last couple of years. She was usually up as late as or later than we were growing up. We being the children. And then by high school when we were staying out, she was usually up at 11 or 11:30 when we'd come in. She would then usually be up to get us off to school which would probably be before seven, and as long as I can remember school time or weekends or in the summer, she was always

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consistent with that time frame.

Q. Did she ever complain of insomnia, inability to sleep?

A. I believe so, yes. I mean more so in the past couple of years, but before that I believe there were sometimes she would be up and reading during the night, but I couldn't tell you how frequently or anything else.

Q. Do you know if she would smoke when she would get up during the night?

A. I have no idea.

Q. You weren't normally up at that time. Is that correct?

A. I might have been up or come in when she was up again but I don't remember that.

Q. Was aspirin or a similar product, painkiller, kept in your home?

A. Yes.

Q. Did your mother use them on occasion?

A. Yes.

Q. Do you recall what kind of toothpaste your family used while you were growing up?

A. I just remember seeing Crest and not ever seeing anything else. I don't know if that's the same thing that my parents used. We had separate

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bathrooms, but that's what we always had.

Q. Do you recall what brand of soap was used while you were young and growing up?

A. No.

Q. What about shampoo?

A. That usually varied. It was Johnson's Baby Shampoo for awhile and then switch off and on.

Q. What other brands do you recall?

A. I remember Tame Cream Rinse. We had that a lot. We had Head and Shoulders or Suave Shampoo, Breck. I mean, there were a lot of different kinds.

Q. Why would you switch brands of that shampoo?

MR. FARRELL, JR.: I'm going to object unless you establish that she was the person making the purchases who would have a reason to know.

Q. Did you ever make the purchases of the shampoo?

A. I would but it would be from the list. I remember generally my mother using Breck Shampoos for a long time. That changed maybe ten years ago and she started switching, but we as the children may have had different kinds and I don't know why.

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Q. Did you ask your mother to purchase different ones for you or did you purchase them yourself?

A. I don't think we ever talked about it.

Q. Did your mother ever say why she would buy one brand of shampoo over the other?

A. She would try new ones if it came out if it hadn't been tried before. I think I remember Pert Shampoo she bought for me because I had short hair and she had short hair and decided to try it. I don't think she continued using it. But some thing like that that was something new she might try it.

Q. And she would tend to try things if she saw them. Is that correct?

MR. FARRELL, JR.: Objection.

A. Shampoo is the only thing I can think of. I don't know about some of the other things.

Q. Did your mother have nervous habits of any kind that you recall?

MR. FARRELL, JR.: Object to the form of the question. I think it's vague.

Q. Did your mother ever have nervous habits such as biting her nails?

A. I know she had trouble growing her nails,

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and I think when she was small she used to do that because she used to yell at me because I did that. But as to the time period when I was growing up, I don't really remember.

Q. Have you ever observed your mother as being under stress?

A. I sort of remember when my brother had an acute appendicitis attack, I would assume that would make her more stressful.

Q. But not other than something serious of that type?

A. I'm not quite sure what circumstances. I know she would talk to me about dealing with teenagers and things like that, but I don't know. I'm not quite sure whether that would be different circumstances than normal.

Q. How would your mother act when she was under stress?

MR. FARRELL, JR.: I'm going to object to the question because I think this witness is incompetent to determine when her mother was under stress to describe the way that you're asking about.

Q. How did your mother act when your brother was having his appendicitis operation?

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A. All I remember is her talking fast and moving fast is most of it. As to anything more than that. . .

Q. What did your mother say about dealing with teenagers?

A. Frustrated.

Q. Did she comment on that frequently?

A. Not -- I wouldn't say that frequently. We would talk about it just when occasions would arise like not keeping curfews or things like that. I don't remember it as being every month occurrence even.

Q. Did you ever discuss with your mother being under stress?

MR. FARRELL, JR.: This witness being under stress?

MR. T. D. KAUFFELT: No, her mother being under stress. Excuse me.

A. I don't believe so. Not where she said it in that many words and not in any situation that I can point to.

Q. As you remember as a child when you were living on Staunton Avenue, what were the family eating habits?

A. The where's and when's?

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Q. Let me be more specific. Did the family get up together and have breakfast together?
A. Not that I remember. I more remember my father already being gone and then mom getting us up to feed us.
Q. And would she normally prepare a full breakfast for you?
A. I remember cereal is mainly what I remember.
Q. Would she eat a full breakfast or something else?
A. I don't remember.
Q. What about later as you got older, in junior high and high school, what was the habit for breakfast?
A. Usually I would come down and mom would offer to fix a full breakfast. Sometmes we'd eat them and sometimes not. Toast and eggs or something like that. And most the time when I was at home we would have it before going to school. And then we were -- at least from Kanawha Avenue I remember the thing was everybody be home at a certain time for dinner and everybody ate dinner. My mom never ate as much as everybody else because she never sat. She was always filling everybody else with food. But I know the evening meal

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everybody sat down and ate. From the morning, more I remember maybe my brother and I on the same time schedule and eating breakfast, and I don't remember if my mom ate with us then or had already eaten.

Q. The description of your evening meal, would you say that's from the time you first remember such things through your leaving home?

A. Yes. Or at least until -- yeah, until leaving home. Even after my brother and sister had left. Except for in the morning after I had gone away to college and come back, my mother wasn't fixing breakfast anymore, not for me at least.

Q. What about your luncheon habits during the period when you were a young child?

A. I usually just remember soup and sandwiches a lot, and mom would have a sandwich or something with us.

Q. And when you were in school, did you normally have lunch at school?

A. Yes.

Q. You didn't come home for lunch at any point?

A. Maybe in junior high. I know not in high

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school. Grade school we may have taken our lunch. Junior high we may have come home. I don't remember now.

Q. Anyplace you would have taken your lunch, your mother would have fixed it for you?

A. Oh, yeah, if we took it to school. Except Chamberlain I think had a lunch room. I don't remember if they had hot lunches or not.

Q. What about high school?

A. High school there was a cafeteria. I would usually bring lunch, if I was eating lunch, and she would have fixed it.

Q. During those junior high and high school days when you were not in school, would you have lunch together or would the children eat separately?

A. Usually mom would eat with us or right afterwards. We'd all be in the kitchen.

Q. She would fix the lunch?

A. Yes, most the time.

Q. Did your mother ever take vitamin pills?

A. Yes.

Q. At what stage do you recall that you remember first seeing her take vitamin pills?

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A. I remember like One-A-Day Plus Iron tablets that she was taking in the morning and would give me one or my brother one and that was probably junior high, high school that I remember her having them.

Q. You don't remember earlier than that?

A. Earlier than that I'm not sure.

Q. Do you know whether she took them from that time on?

A. I know she took them when I had been there like during the summers, and through law school when I was home I remember her taking them.

Q. Did she ever tell you that she had nutritional or iron deficiency?

A. I don't recall.

Q. Do you recall the brand names of vitamins pills she might have taken at any time?

A. The first one I remember are the One-A-Day tablets, One-A-Day Plus Iron. Other than that, I don't remember. I don't think she used that all the time, but I don't remember what else similar to that that she had.

Q. When she took One-A-Day, she took one a day. Is that right?

A. As far as I know.

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Q. Did your mother have occasion to diet?
A. Yes.
Q. When do you remember the periods when she would diet, what period?
A. Probably that I remember from junior high she was or at least -- I don't think she ever went on a drastic diet, but as far as I remember, she would go through fluctuations where she'd be cutting back on her eating more than normal. I seem to remember that. About as far as I can remember at least on Kanawha Avenue.
Q. Would she ever take diet pills?
A. Not pills that I remember. I think they're Ayds Chocolate Squares or something. I remember those being around the house. She did take those probably in junior high and high school time for me. During that time frame. But I don't remember her using them after that.
Q. How long would a diet period go on?
A. I don't think I could tell you.
Q. Did she usually meet the goal she set out to meet and then go off the diet?
A. From when I remember, say more than five years ago, I think she was more on a constant diet for the past six years, maybe as she had gotten

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older and couldn't lose it as easily as she had before. I remember her dieting more consistently over the past five or six years than before. She would just diet for awhile to get the weight down and then be all right.

Q. Was she able to get her weight down when she wanted to?

A. Until the last five or six years I think she could.

Q. Was your mother conscience in her cooking habits about cholesterol and things that we hear about that are not healthful to overindulge in?

MR. FARRELL, JR.: I'm going to object to what her mother was conscious of.

MR. T. D. KAUFFELT: Let me rephrase that.

Q. Did your mother ever discuss with you the need to avoid certain types of foods?

A. One time there was some discussion about limiting the number of eggs that she and my dad at least were eating, not necessarily us, the children. And I know several years ago they quit using real salt in any food they were cooking.

Q. Did she say why she wanted to avoid

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eggs?
A. No. It sort of connects about the time some reports came out on limiting the cholesterol intake.
Q. Do you recall what time frame of when that occurred?
A. Probably before I went to law school, so sometime in the late seventies maybe.
Q. Did your mother ever use diet drinks, pop, the diet variety?
A. I don't remember her drinking diet sodas or anything like that. Maybe once on a rare occasion. I don't really remember that.
Q. Did she use artificial sweeteners from time to time?
A. Yes.
Q. What brand, do you recall?
A. She used Sweet 'N Low, little pink packets for awhile, and then I think she switched to something else, but I don't remember what it was.
Q. When your mother had determined that there should be fewer eggs eaten in the house, did she succeed in avoiding them?
A. I think that was more for she and my faher were doing that, and I couldn't really tell you

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whether they did or not.

Q. Do you recall when your mother used Sweet 'N Low, under what circumstances?

A. She used it in ice tea.

Q. Any other time?

A. Not that I can remember.

Q. Did your mother have foods that she had a particular reaction to, particular adverse reaction to?

A. Not that I know of.

Q. Do you know whether she had ever been told to avoid particular foods?

A. I don't know.

Q. Did your mother drink coffee?

A. Sometimes, not a great deal. I think she did in the morning.

Q. How much in the morning, do you recall?

A. No.

Q. Did she drink regular coffee or decaffeinated?

A. She switched about the time decaffeinated coffee started coming out, whenever that was. I'm not sure of the time frame. She and my dad both switched to decaffeinated.

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Q. Have they been -- let's do a time frame. Did they switch to decaffeinated sometime in the last ten years?

A. I'd say probably, yes.

Q. About that length of time? Did your mother like her coffee hot?

A. I don't know.

Q. Did your mother consume alcoholic beverages at sometime?

A. Yes.

Q. What did she drink, do you know?

A. I think -- the alcohol I think was mainly vodka, and I don't know what she put it in with vodka, tonic or what she put the vodka with.

Q. Did your mother ever say why she was switching from regular coffee to decaffeinated coffee?

A. No. Well, she may have and I just don't remember.

Q. In reference to alcoholic beverages you indicate when you were familiar with your mother's drinking she would drink vodka. Is that what you said?

A. That's from Kanawha Avenue. I think that's what she would have.

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Q. Are you familiar with her drinking habits before the Kanawha Avenue period?
A. No.
Q. Do you know when she started drinking?
A. No.
Q. Do you know how often she would have a drink during the Kanawha Avenue period?
A. I would say I could remember maybe once a week, but it could have been more often. I don't know. We're talking about what time frame as far as I can remember.
Q. Have you ever seen your mother when you thought she had too much to drink?
A. I don't think so.
Q. Never saw her sick from drinking or anything of that sort?
A. No, I don't remember that.
Q. Do you recall brand names of the vodka which is what you remember her drinking? Do you recall the brand names she might have had?
A. Popov, I guess, is how you pronounce it, is one of them, and I want to say Smirnoff, but I'm not sure if that's one she had or just the name is familiar. Something like Vladimir or Vladimostoc or something, that's another one I remember.

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Q. When she would have a drink, where would she normally have one?
A. In the kitchen.
Q. In your home?
A. Yeah. That was our living quarters basically with the dining room table and TV and couch.
Q. And what time of day would that normally be?
A. Evening, right before dinnertime usually.
Q. Would there be someone else who would have a drink at that period?
A. Sometimes yes, sometimes no.
Q. Who would that be?
A. My father maybe, or after my brother and I would older we might have one.
Q. To your knowledge has she ever been advised to stop drinking, cut down on drinking?
A. I think she was maybe in connection with blood pressure problems, but I'm not real clear as to when that was or what it was for.
Q. Did you ever have discussions with your parents about whether you should drink or not or about whether anyone should drink?
A. Anyone in the family?

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Q. Or anyone. The desirability of drinking or not drinking.
A. When we were in high school, in around that time, they told us that if we were going to drink, they would rather we did it at home. So there tended to be a number of people that came to our house rather than we'd be out. I mean, I think they probably told us to watch what we're drinking and doing, but the thing I remember is if you're going to, do it at home. When we were growing up in high school, that time period.
Q. That was the only discussion you recall about it?
A. That I can really recall.
Q. Do you recall what your father's drinking practices were?
A. During --
MR. FARRELL, JR.: What time frame?
Q. Junior high and high school times.
A. I couldn't tell you other than he would come home from work sometimes and have a drink sometimes with my mother.
Q. You would say similar to your mother's habits as far as you know?
A. As far as I know probably, yes.

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Q. Did your mother ever say how she picked the brand of vodka that she -- you mentioned two. Did she ever mention how she picked them?

A. No, not that I can remember. I know there was one brand -- I don't know what it was -- that she didn't like the taste of, but as to why she picked any of the others, I don't know.

Q. Has your mother ever consulted with anyone regarding a drinking problem?

A. Not that I know of.

Q. been treated for alcoholism?

A. Not that I know of.

MR. T. D. KAUFFELT: Shall we take a ten minute break.

(There is a recess from the record.)

Q. Miss Haight, did your father ever comment to your mother or to you children about your mother's drinking habits?

A. I don't think so.

Q. Did your mother ever comment to your father or to the children about your father's drinking habits?

A. Yes. It was not necessarily drinking habits as in the drinking but usually Friday afternoon

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after work he would have a couple of drinks before he came home and then come home and not be hungry, and she would be upset because he wouldn't eat dinner.

Q. And that's all you recall?

A. That's what I really recall, yeah.

Q. What would she say on those occasions?

A. Basically just that, that why did she bother to fix dinner if he wasn't going to eat it. If that would happen, he may be home later, a half hour or hour later than normally so the dinner would be cold so she'd be frustrated with that.

Q. Did you know your mother's parents, you grandparents?

A. Yes.

Q. Both of them?

A. Yes.

Q. Did you know what your Grandmother O'Neale's maiden name was?

A. I think I do, and I can't think of it right now.

Q. Alverson?

A. Yup.

Q. Do you know where she was raised or where the family was from?

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A. I know there was a family down in Alabama, in the deeper south, but I'm not sure where most of the family is or was.

Q. Let me ask one more question about -- you mentioned a brand of vodka that your mother didn't like. Do you recall the name of that?

A. No, I don't.

Q. Did she buy it on occasion?

A. All I remember is sometimes she sent me up to the liquor store and when I said what kind do you want me to get, she'd say anything but this one brand, and I just don't remember what it was, but I usually bought the Popov because I know she liked that.

Q. Did she ever tell your father not to buy that brand?

A. I think I mom or one of us was usually who went to the liquor store. I don't remember my father ever going.

Q. Did you meet any of the Alverson family other than your Grandmother O'Neale?

A. Not that I can remember. I don't think so.

Q. Do you know whether you were ever taken to Alabama on a family visit?

A. I don't believe so unless it was when I was

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too small that I don't remember.

Q. Did your mother ever discuss the Alverson family?

A. A little bit just. My grandfather had done some tracing of the family, and I know she had mentioned a few, and I probably couldn't tell you now whether they were on my grandfather's side or grandmother's side.

Q. Had you ever heard of Lailah Alverson Harris? Did you ever hear of her mentioned?

A. Not that I can recall.

Q. Or Nora Alverson McCurdy?

A. It's familiar but I have no idea why.

Q. Or Ruby Hawthorne Alverson O'Neale? That's your grandmother.

A. Yeah, I was doing to say, I recognize that one.

Q. Do you know what the cause of her death was?

A. No, I don't.

Q. Did you know or hear of Claude Alverson? Do you know who that was?

A. No, I don't.

Q. Do you know anything about the cause of his death?

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A. No.

Q. Now, did you know your Grandfather O'Neale's family?

A. Again, just to the extent that my mom or he when we were younger may have told us something about them. I don't believe I ever met anyone on that side of the family. Not that I can recall.

Q. You didn't have occasion to visit anyone on that side of the family?

A. Not that I can remember.

Q. Do you recall your Grandmother O'Neale's maiden name?

A. I thought that was Alverson.

Q. Pardon me?

A. I thought it was Alverson.

Q. Oh, excuse me. I'm confused. Strike that question.

Do you recall the name of your father's mother, I mean your Grandfather O'Neale's mother?

A. I believe Saunders was a family name, but I don't know why. I mean, I know it was on my grandfather's side but I don't know where that came from.

Q. Did you ever hear Mary Faith Floyd O'Neale spoken of?

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A. I remember a Mary Faith Floyd McAdue I think. It might be O'Neale. I believe we have her picture hanging in hour house.

Q. Do you know what the relationship was?

A. One of the great, great grandparents or cousins or something. I'm not sure.

Q. Do you recall James Saunders O'Neale, Jr.?

A. The name I believe was my grandfather's father, if it's what I'm remembering, and I just remember him from my mom talking about him.

Q. Do you know there was a senior and junior by that name?

A. I remember my mom referring to Pop Sandy which I believe is who that was but I don't know anything more.

Q. Do you know where they lived?

A. No, I don't.

Q. Do you know the children of your Aunt Caroline and Uncle Vincent Chaney?

A. Yes.

Q. Do you recall their names?

A. Well, there were four of them. Stuart was the oldest daughter and I believe Pat was the next in line and then Mike Chaney and Malcolm Chaney.

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Q. How much contact did you have with the Chaney children?
A. They were all -- the youngest was still a number of years older than me so that there was a gap in ages. I remember going up there for Christmas or them coming to our house for Christmas, but it was more just those family occasions, and we didn't really have age-wise very much in common except on those family holidays or occasions like that.
Q. Do you know anything about Malcolm's health?
A. About Mal Chaney's?
Q. Yes.
A. I couldn't tell you other than he looks good.
Q. Do you know his children?
A. Yes. I don't know if I could name them all.
Q. Do you know anything about their health?
A. Other than they seem like normal children to me.
Q. Now, did you know Patricia before her death?
A. Yes. Again, mainly through just Christmas or family gatherings and she would be at home. I

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know she was not living in Charleston or had not been for awhile.

Q. Do you know where she did live?

A. I think it was Philadelphia but I'm not real sure.

Q. Do you know whether she had children?

A. I don't believe she did.

Q. Do you know Stuart Chaney Bryant?

A. Yes. Again in the same way and probably a little less than with Pat because Stuart was the oldest, and at that time that I remember her, she had her own children, the oldest of which is a couple of years younger than my sister.

Q. How many children did she have?

A. Three.

Q. Three? Do you recall their names?

A. Charles Vincent, she called CV, and I want to say Caroline Nicole or Nicole Caroline they called Nicky, and there was another boy and I can't remember his name right now.

Q. Was Stuart in good health before her death, her accidental death?

A. As far as I know.

Q. What about her children, do you know anything about their health history?

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A. CV had an undiagnosed brain tumor as a child and it stunted his growth and caused some other problems. Other than problems he's had in connection with that, I'm not aware of any other health problems or health conditions that he had.

Q. What was done about the brain tumor, do you know?

A. I believe they discovered it when he was about 14 or 15 and they operated and removed it. I think most of it or all of it.

Q. And do you know if it has caused problems since the operation?

A. I know he recovered more than they expected he would.

Q. And do you know where he is living?

A. He's living in Florida. I don't recall where, but still with his family.

Q. Can you describe his illness other than -- in any more detail than a brain tumor?

A. I know it stunted his growth. He was small build. He had some -- it affected some of his mental abilities. As to where the tumor was or what type it was, I couldn't tell you.

Q. How well did you know Mike Chaney or do you know Mike Chaney?

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A. I know him a lot better now in the three and a half years.

Q. He is at the law firm where you work, isn't he?

A. Yes, he is. Before that it was again just family gatherings when I'd see him.

Q. Several times a year perhaps?

A. Yeah.

Q. And do you know his children?

A. Yes.

Q. Are they in good health?

A. Yes.

Q. Do you recall the health of your mother's parents being discussed around your home?

A. Only thing I really remember was that my grandmother was overweight and discussions of her losing weight or that she should. That's about the only thing I remember.

Q. What about your Grandfather O'Neale?

A. I don't really remember him having any health problems because he was always very active and took us for hikes and seemed to be in good health. I don't know if he had any problems that I wasn't aware of.

Q. Had you ever heard of Hester Alverson?

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A. It doesn't sound familiar.
Q. Daniel Alverson?
A. Doesn't sound familiar either.
Q. Had you ever heard of Reese Alverson?
A. May be familiar but I couldn't tell you why.
Q. Have you ever heard of Ruth Alverson?
A. Yes.
Q. In what way?
A. Just my mother talking about that name.
Q. The connection do you know?
A. No.
Q. Grace Higginbotham?
A. Don't recognize that one either.
Q. Kindred Reese Alverson, have you ever heard of that name?
A. Reese Alverson may have sounded familiar but even that way doesn't sound familiar.
Q. Julia Garten?
A. No.
Q. Excuse me. That's Julia Martin. Have you ever heard that name?
A. As someone related to me, no.
Q. Did you ever discuss the fact that any of those people died of cancer?
A. No.

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Q. Did you ever hear of any of your relatives other than your mother and Aunt Caroline having cancer?
A. Not on my mother's side, I don't believe so.
Q. On your father's side?
A. I believe his sister either was diagnosed for cancer or she did have a mastectomy.
Q. Do you know about what time that occurred, what period of time?
A. No, I don't. I learned of it much later than when it happened, but I'm not sure when it happened.
Q. Did you have discussions with your mother about that?
A. No. It came up when there was some, I think, programs on TV about mastectomies, and she happened to tell me my aunt had had one. That was mainly the conversation.
Q. And that's the only time you recall it being mentioned?
A. Yes. No, I have to take that back. It was discussed at a subsequent time when another person we knew had a mastectomy.
Q. Who was that?
A. My husband's mother.

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Q. Did you ever discuss this suit with either your Aunt Caroline or Uncle Malcolm?
A. No, I don't believe so.
Q. Did your mother ever indicate to you that she had discussed the suit with Caroline Chaney or her brother Malcolm?
A. I think they are aware of it, but how they found out, I couldn't tell you.
Q. If I asked you that same question regarding your father would your answer the same?
A. Whether he had told?
Q. He had discussions with either of them?
A. I don't know whether he did or not.
Q. Did you hear a discussion of Caroline Chaney's cancer between your parents?
A. I don't really remember any time when my mom talked to me about it when my father was there other than the fact, you know, toward the end that she was not progressing anymore. My mother discussed it somewhat with me, but as to details of what kind it was, what kind of cancer she had or anything like that, I don't remember.
Q. And what time frame would you say she discussed it with you?

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A. That would have been in probably 1980 -- well, '84 or '85. Some of it was, my mother and aunt were both at Bethesda Hospital on some occasions, my aunt for checkups and my mother for treatment, so I'm sure that sometime in that period also she may have discussed it with me.

Q. Were you conscious before that that there had been -- that your Aunt Carolne was ill with cancer?

MR. FARRELL, JR.: Are you asking before her mother began treatment?

MR. T. D. KAUFFELT: Yes, before her mother was sick and discussed it with her on the occasion she mentioned.

A. As I understood, Aunt Caroline had been diagnosed with cancer following the plane accident she had been in, I believe, in the early seventies which had cleared up, and then subsequent to that another form of cancer was found and she had been receiving treatment. What kind it was and when that was I don't recall.

Q. But did you know about that before 1984 or '85?

A. Yes. I didn't - it wasn't discussed with me to the extent of the treatments or what was going

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on as much until my mother was going through the same thing herself.

Q. Did anyone in your family ever connect Caroline's cancer to smoking?

MR. FARRELL, JR.: I'm going to object to the form of the question. I think it's vague in terms of connect.

Q. Did you ever hear a discussion between your parents as to whether they believed smoking caused Caroline Chaney's problem?

A. Not that I can recall.

Q. Do you know whether your Uncle Malcolm ever discussed your mother's smoking habit with him?

A. I believe yes, because my uncle, as I understand it, has been in good health and liked to encourage that on certain types of foods you eat and things like that, and I believe he discussed with my mother where to get on a good diet and give up smoking as sort of a -- not a health kick but that emphasis.

Q. How did you know that?

A. I believe from conversations my mom had after having talked to Malcolm on the telephone and he may have -- I don't remember what time

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period this was -- he may have sent her some literature or a book on good nutrition or good health habits or something like that. I'm not sure when that was. That's just an impression I had, that that type of conversation did take place.

Q. Did your mother ever discuss anything about your Aunt Caroline smoking with you or with your father?

MR. FARRELL, JR.: Object to the form of the question. I think you've asked two questions in one, and I don't think she's competent to testify about what her mother may have discussed with her father.

Q. Did your mother ever discuss anything about Caroline's smoking with you?

A. Just to the extent that I believe my aunt had been smoking early, as my mother had, early in age, but I don't really recall anything else.

Q. Were you present at any time when your mother discussed your Aunt Caroline's smoking with your father?

A. Not that I can recall.

Q. What was the relationship between your mother and the children of your Aunt Caroline and Uncle Vince?

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A. I believe they may have talked and communicated more than the Chaney children did with us as children, as the Haight children, but I'm not sure to what extent or how often or anything like that.

Q. Did you ever learn what your grandmother Haight died of?

A. I don't remember.

Q. Do you know whether she smoked?

A. I think she did, but I couldn't tell you for sure. I'm just going on what may have been told to me.

Q. Do you remember your mother mentioning that to you, that she did smoke?

A. It seems to me she did tell me that. I don't know for sure if she did or not.

Q. What was the context of that discussion?

A. Talking about habits that my grandmother had, different things that she did. My mother had always told me she wished we had known my father's mother because she was a very delightful person, and she would tell us about her.

Q. And mentioning that she smoked was one of the things she told you?

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A. I think she did tell us that. I mean, among other things.

Q. What was the attitude of your Aunt Caroline, if you know, regarding smoking?

A. I don't know. I don't know that I ever talked with her about it or my mom about what -- how Aunt Caroline felt about it.

Q. Do you know if she smoked?

A. I thought that she did for sometime but had not in the past few years, but I didn't see her that often to know.

Q. Did you know whether your grandmother Ruby smoked?

A. I don't know. I don't remember.

Q. Your Grandmother Haight we've already discussed that you did know something about her smoking at one time. What do you know about the smoking habits of your Grandfather Malcolm O'Neale?

A. Only thing I remember is I think he had some pipes in a pipe collection. I can picture that, but whether -- I don't really remember if he smoked them or smoked cigarettes. I seem to remember a pipe collection.

Q. Do you know the smoking habits of your mother's college roommate Dorothy Mellott?

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A. No.

Q. Do you know whether your Aunt Caroline quit smoking?

A. I don't know. Given that I thought that she did smoke, I don't know whether she quit or still continued. I thought she had years ago.

Q. From discussions with your mother, did she ever discuss quitting, stopping smoking with your mother?

MR. FARRELL, JR.: Who are you asking about, Mr. Kauffelt?

Q. I'm asking whether your mother ever discussed with Caroline the question of her quitting smoking?

A. I don't know.

MR. FARRELL, JR.: I still don't understand the question. Are you asking about Mrs. Haight stopping smoking or Caroline stopping smoking?

MR. T. D. KAUFFELT: About Caroline.

A. I don't know.

Q. Now, your Grandmother Ruby O'Neale, did you know if she quit smoking before her death?

A. I don't know whether she smoked or not.

Q. Did you ever hear any discussion

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about her smoking habits from your mother?
A. No.
Q. What about from your father?
A. Talking about my Grandmother O'Neale?
Q. Do you know whether your father ever smoked?
A. Yes.
Q. Do you know whether he now smokes?
A. He does not now.
Q. Do you know when he quit?
A. Only according to what he and my mother told me, it was back I think in the forties. I think that he smoked and had quit. I don't know how much he smoked or for how long.
Q. Were there any other comments from your mother or father about his quitting?
A. Just that he said to mom, I think on more than one occasion, that if he could, she could. He had given them up years ago and he felt much better.
Q. What was her comments on that at that time?
A. I don't really remember.
Q. What was the earliest memory you have of your father saying something of that type?

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A. Probably on Kanawha Avenue again. I really don't remember that from Staunton, but I don't remember, like I said, exactly how old I was when we moved over to Kanawha Avenue, but it would have been there that I remember it.

Q. Do you remember it in grade school or junior high school?

A. Probably junior high.

Q. Was it said on more than one occasion?

A. I believe so. I believe I recall, I don't know how many times, maybe two or three times over however long I was living at home.

Q. And those were times when you were present and heard it, correct?

A. Right.

Q. What's the most recent time that your father indicated that to your mother?

A. Probably before I went to law school that I can recall it, and I don't remember before that how long before that it was.

Q. Do you know whether any of the children of Caroline and Vincent Chaney smoked?

A. I don't know if Stuart or Pat did. I don't believe Mike or Mal do.

Q. Does your sister smoke?

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A. No.
Q. Has she ever smoked?
A. Not that I know of.
Q. What about your brother Will, does he smoke?
A. He doesn't to my knowledge and never has to my knowledge.
Q. Did your mother's friend Judy Alexander smoke?
A. Yes.
Q. Do you know whether she has ever quit smoking?
A. I know she was still smoking as of a couple of weeks ago. I don't know if she's ever quit and started again.
Q. Do you know how long it had been since she had smoked when you saw her several weeks ago?
MR. FARRELL, JR.: Are you asking her when she began smoking?
MR. T. D. KAUFFELT: I'm asking if she knows that she quit.
A. I don't know that she quit.
MR. FARRELL, JR.: She said she was still smoking as of a couple of weeks ago.

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Q. I'm sorry. I misunderstood you. Do you know whether -- did you know Caroline Cork? Is that name familiar do you?

A. If it's Mrs. Cork who lived next door to us on 46th Street, I remember the name and the person, not too much more than that.

Q. Do you recall whether she smoked?

A. I don't know.

Q. Do you recall whether Betty Perkins smoked?

A. I don't know. I don't remember.

Q. Do you recall whether Mrs. Hatcher smoked?

A. That I have no idea.

Q. What about Peg Philips?

A. I don't remember that.

Q. Do you recall whether either Charles or Marcio Mottesheard were smokers?

A. No, because I don't really remember them.

Q. Or Carol and William Steed?

A. I don't remember.

Q. Do you know whether George or Vivian Sharp smoked?

A. George does smoke.

Q. At the present time?

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A. Yes.

Q. Does Vivian smoke?

A. I don't know.

Q. What about Bill and Rita Jones, are they smokers?

A. I don't know.

MR. FARRELL, JR.: Mr. Kauffelt, it's about six minutes to four. Can I propose that we stop at four o'clock for today.

MR. T. D. KAUFFELT: We can stop and reschedule for a later time then. That would be better for everybody. We might as well stop now.

MR. FARRELL, JR.: For a convenient stopping place?

MR. T. D. KAUFFELT: For a convenient stopping place. We will adjourn at this time and reschedule this deposition for another time.

(The deposition is adjourned)

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C E R T I F I C A T E

I, DIANE GLOCKNER, a Certified Shorthand Reporter and Notary Public of the State of New Jersey, do hereby certify that prior to the commencement of the examination the witness and/or witnesses were sworn to testify the truth, the whole truth and nothing but the truth.

I do further certify that the foregoing is a true and accurate computer-aided transcript of the testimony as taken stenographically by and before me at the time, place and on the date hereinbefore set forth.

I do further certify that I am neither of counsel nor attorney for any party in this action and that I am not interested in the event nor outcome of this litigation.

Diane Glockner

Notary Public of the State of New Jersey
Certificate License No. XI01287

My commission expires November 15, 1987

Dated: 1/10/86

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